

Part I: General Conditions

General Information

Name of Municipality or Organization: State:

EPA NPDES Permit Number (if applicable):

Primary MS4 Program Manager Contact Information

Name: Title:

Street Address Line 1:

Street Address Line 2:

City: State: Zip Code:

Email: Phone Number:

Fax Number:

Other Information

Stormwater Management Program (SWMP) Location

Eligibility Determination

Endangered Species Act (ESA) Determination Complete?

Eligibility Criteria (check all that apply): ☐ A ☐ B ☒ C

National Historic Preservation Act (NHPA) Determination Complete?

Eligibility Criteria (check all that apply): ☒ A ☐ B ☐ C

☒ Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete?
(Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)

If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY):

Web address where MS4 map is published:

If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

A PDF of the Town's Drainage Map, including all outfalls and receiving waters, is attached.

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted?
(Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted?
(Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted?
(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part II: Summary of Receiving Waters

Please list the waterbodies to which your MS4 discharges. For each waterbody, please report the number of outfalls discharging into it and, if applicable, the segment ID and any impairments.

Massachusetts list of impaired waters: [Massachusetts 2014 List of Impaired Waters- http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf](http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf)

[illegible]

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Wetlands along Glenwood Rd	4	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Wetlands along Muscophague Rd	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Wetlands to Thayer Pond	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	
		☐	☐	☐	☐	☐	☐	☐	☐	☐	
		☐	☐	☐	☐	☐	☐	☐	☐	☐	
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Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Implementation
Videos	Run stormwater segments on local cable access channel	Residents	DPW, Public Access Channel	Use Massachusetts ThinkBlue ready made commercial. Track the number of run times on television.	FY2019
Brochures/Pamphlets	Provide stormwater educational pamphlets addressing lawn/grounds maintenance, use of salt/de-icing materials, etc.	Businesses, Institutions and Commercial Facilities	DPW	Using materials developed through the Think Blue Massachusetts campaign, distribute pamphlets to businesses, institutions and commercial facilities, and maintain a list of all recipients.	FY2019

Brochures/Pamphlets	Distribute brochures to prospective developers and contractors providing general information on stormwater management and summarize information on the Town's erosion and sediment control requirements.	Developers (construction)	DPW		Distribute brochure during Year 2 and maintain a list of all recipients.	FY2020
Web Page	Promote LID practices such as installation of vegetated filter strips to treat stormwater onsite and infiltrate to offset impervious area created through development.	Developers (Construction)	DPW		Include information on the Town's website and track the number of interactions with this portion of the website.	FY2023
Web Page	Update Town website to include information about residential actions that affect stormwater and receiving water quality, including vehicle maintenance, lawn watering, septic systems, etc.	Residents	DPW		Utilize information located on the Resident's page of the Massachusetts ThinkBlue webpage. Track the number of interactions with the site.	FY2021
Web Page	Input information onto the Town website about the benefits of adopting low impact development practices such as disconnecting impervious surfaces.	Businesses, Institutions and Commercial Facilities	DPW		Utilize Massachusetts ThinkBlue social media post or other pre-made educational materials and track the number of interactions on the web page.	FY2021

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	SWMP Review	DPW	Allow for annual public review of the stormwater management plan by posting the stormwater management plan on the Town's website, and making it available at Town Hall.	FY2019
Public Participation	Distribute Rain Barrels	DPW	Continue town-wide practice to distribute rain barrels and offer incentives for their use. Track the number of rain barrels that are distributed annually.	FY2019
Public Participation	Household haz. waste/used oil collection	DPW	Continue to promote and facilitate an annual hazardous waste collection day with West Boylston. Track the types and amount of waste collected.	FY2019
Public Participation	Stormwater Committee/Task Force	DPW	Hold quarterly meetings to discuss stormwater issues.	FY2019
Public Participation	Cleanups - Roadside/General	DPW	Hold one clean up day annually in conjunction with the 122A Lions Club and the Masonic Club. Track miles of roadway cleaned.	FY2019

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary *(continued)*

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
SSO inventory	Develop inventory of all SSOs that have occurred in the last 5 years within the regulated area.	DPW	Complete within 1 year of effective date of the permit and update SSO inventory annually.	FY2019
Storm sewer system map	Update drainage map in accordance with permit conditions and update annually during IDDE program investigations.	DPW	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit. Report on progress in annual reports.	FY2020
Written IDDE plan	Update written IDDE plan to meet permit conditions.	DPW	Complete within 1 year of the effective date of permit and update as required.	FY2019
Implement IDDE program	Implement catchment investigations within regulated area according to IDDE Plan and permit conditions.	DPW	Begin investigations within two years of permit effective date, and complete within 10 years of permit effective date.	FY2020
Employee training	Train employees on IDDE plan components and IDDE program implementation.	DPW	Train annually and track the number of employees trained each year.	FY2019
Conduct dry weather screening and sampling	Conduct dry weather outfall/interconnection screening and sampling within regulated area in accordance with permit conditions.	DPW	Complete within 3 years of permit effective date. Track number of outfalls that are screened and sampled annually.	FY2021

Conduct wet weather screening	Conduct wet weather sampling at outfalls/interconnections in catchments within the regulated area where System Vulnerability Factors are present in accordance with permit conditions.	DPW	Complete within 10 years of permit effective date. Track number of outfalls that are screened and sampled annually.	FY2022
Ongoing screening	Conduct dry weather and wet weather screening (as necessary) within the regulated area	DPW	Complete ongoing outfall screening upon completion of IDDE investigations.	FY2029
Priority Ranking	Assess and rank the potential for all catchments within the regulated area to have illicit discharges. Identify catchments with System Vulnerability Factors that will necessitate wet weather sampling.	DPW	Complete within 1 year of the permit effective date.	FY2019
Follow-Up Ranking	Update catchment prioritization and ranking as dry weather screening information becomes available.	DPW	Complete within 3 years of permit effective date.	FY2021
Catchment Investigation Procedures	Develop written catchment investigation procedures and incorporate into IDDE Plan.	DPW	Complete within 18 months of permit effective date.	FY2019

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Develop written procedures for site inspection and enforcement.	Planning Department	Complete within 1 year of the effective date of permit. Report on the number of site inspections and enforcement actions annually.	FY2019
Site plan review	Develop written procedures for site plan review and begin implementation.	Planning Department	Complete within 1 year of the effective date of permit and track the number of site plan reviews conducted, inspections conducted and enforcement actions taken annually.	FY2019
Erosion and Sediment Control	Adopt requirements for construction site operators to implement a sediment and erosion control program that includes BMPs that are appropriate for conditions at the construction site.	Planning Department	Complete within 1 year of the effective date of permit.	FY2019
Waste Control	Adopt requirements for construction site operators to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes.	Planning Department	Complete within 1 year of the effective date of permit.	FY2019

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary *(continued)*

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
As-built plans for on-site stormwater control	Modify existing regulations to require submission of as-built drawings within two years and ensure long term operation and maintenance of BMPs.	Planning Department	Require submission of as-built plans and long term O&M for completed projects within two years.	FY2020
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious area and update annually.	DPW	Complete 4 years after effective date of permit and report annually on retrofitted properties.	FY2022
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist.	Planning Department	Complete 4 years after effective date of permit and implement recommendations of report, where feasible.	FY2022
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover to determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	Planning Department	Complete 4 years after effective date of permit and implement recommendations of report, where feasible.	FY2022

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary *(continued)*

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW	Complete and implement within 2 years of permit effective date.	FY2020
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW	Complete within 2 years of permit effective date and update annually.	FY2020
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure.	DPW	Complete within two years of permit effective date.	FY2020
Stormwater Pollution Prevention Plan (SWPPP) Development, Inspections, and Training	Create SWPPPs for the DPW Facility at 17 Pommogussett Road and any other waste and materials handling facilities as required.	DPW	Complete and implement within 2 years of permit effective date, and provide inspections quarterly and training annually thereafter. Track number of inspections conducted and employees trained annually.	FY2020

Catch basin cleaning	Establish schedule for catch basin cleaning within the regulated area such that each catch basin is no more than 50% full and clean catch basins on that schedule.	DPW		Clean catch basins on established schedule and report number of catch basins cleaned and volume of material removed annually.	FY2019
Street sweeping program	Sweep all streets within the regulated area and permittee-owned parking lots in accordance with permit conditions.	DPW		Sweep all streets and permittee-owned parking lots once per year in the spring. Sweep selected streets a second time in the fall to meet requirements specific to impaired waters. Track miles of roadway swept, or volume or mass of sediment removed.	FY2019
Road salt use optimization program	Establish and implement a program to minimize the use of road salt within the regulated area.	DPW		Implement salt use optimization during deicing season.	FY2019
Inspection and maintenance of stormwater treatment structures	Establish and implement inspection and maintenance procedures and frequencies	DPW		Inspect and maintain treatment structures at least annually. Report number of structures inspected and cleaned annually.	FY2019
Catch Basin Cleaning Optimization	Develop and implement a plan to optimize inspection, cleaning and maintenance of catch basins within the regulated area to ensure that permit conditions are met.	DPW		Complete within 2 years of the permit effective date.	FY2020

[illegible]

Part III: Stormwater Management Program Summary (continued)

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. In addition, if you are subject to additional requirements due to a downstream nutrient impairment (see Part 2.2.2 of the permit) select the pollutant of concern and indicate applicable waterbody IDs or write "all waterbodies" if applicable. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

Through consultation with the US Fish & Wildlife, it was determined that the only threatened species within Rutland is the northern long-eared bat. Actions currently proposed within this Notice of Intent will not affect this species. As Best Management Practices are constructed in the future, the Town will consult with US Fish & Wildlife prior to construction activities.

The Town has developed draft bylaws for Illicit Discharge Detection & Elimination, Erosion & Sediment Control, and Post-Construction Stormwater Management to meet the 2003 permit requirements. These bylaws will be adopted at a Special Town Meeting to be held on November 19, 2018. The Town does have some existing provisions in their current regulations which cover construction and post-construction stormwater management which partially fulfill the requirements of the 2003 permit, but require additional language and clarification to fully meet the permit's intent.

Part V: Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

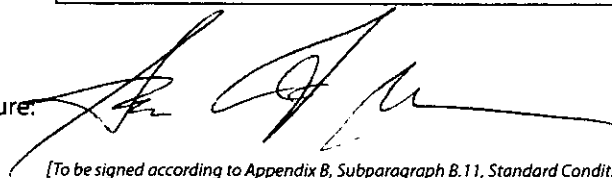
Name:

SHEILA VAIDYA DBB

Title:

CHAIR, RUTLAND BOARD OF SELECTION

Signature:



[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Date:

9-30-2018

Note: When prompted during signing, save the document under a new file name

NOI Submission

Please submit the form electronically via email using the "Submit by Email" button below or send in a CD with your completed NOI. You may also print and submit via mail using the address below if you choose not to submit electronically. The outfall map required in Part I of the NOI (if applicable) can be submitted electronically as an email attachment OR as a paper copy.

Permittees that choose to submit their NOI electronically by email or by mailing a CD with the completed NOI form to EPA, will be able to download a partially filled Year 1 Annual Report at a later date from EPA. (40 CFR 122.22)

Submit by Email

Submit by email using this button. Or, send an email with attachments to: stormwater.reports@epa.gov

Save

Save NOI for your records

EPA Submittal Address:

United States Environmental Protection Agency
5 Post Office Square - Suite 100
Mail Code - OEP06-1
Boston, Massachusetts 02109-3912
ATTN: Newton Tedder

State Submittal Address:

Massachusetts Department of Environmental Protection
One Winter Street - 5th Floor
Boston, MA 02108
ATTN: Fred Civian

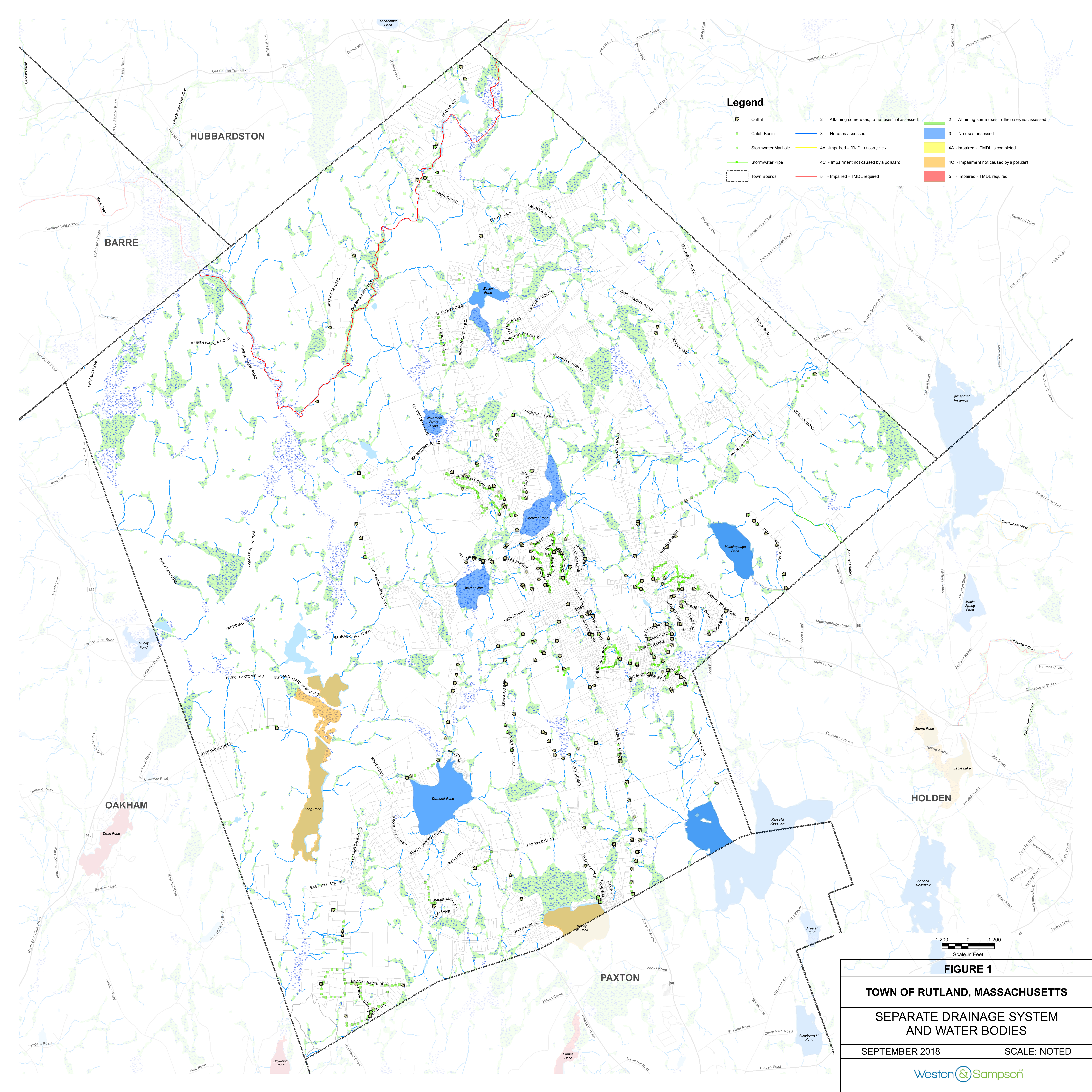


FIGURE 1

TOWN OF RUTLAND, MASSACHUSETTS

**SEPARATE DRAINAGE SYSTEM
AND WATER BODIES**

SEPTEMBER 2018 SCALE: NOTED

Weston & Sampson



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>



In Reply Refer To:
Consultation Code: 05E1NE00-2018-SLI-3032
Event Code: 05E1NE00-2018-E-07153
Project Name: Rutland MS4 - Notice of Intent

September 11, 2018

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2018-SLI-3032

Event Code: 05E1NE00-2018-E-07153

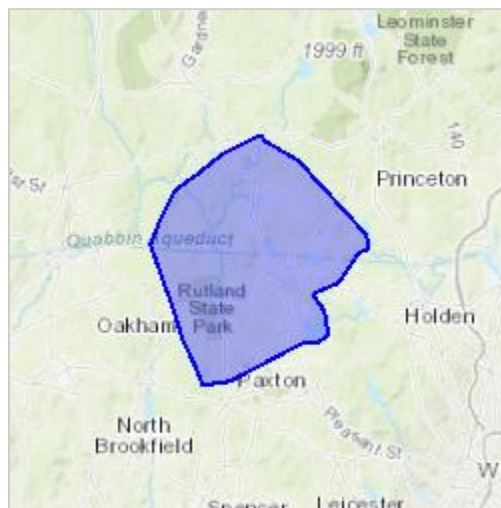
Project Name: Rutland MS4 - Notice of Intent

Project Type: ** OTHER **

Project Description: This project covers existing stormwater discharges from the municipal separate storm sewer system. The Town is requesting coverage under the Final 2016 MS4 Permit from EPA and DEP.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.38285777105954N71.9646505565341W>



Counties: Worcester, MA

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
