

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

Page 1 of 19

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
(web address or physical location, if already completed):

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? 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)

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

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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 |
|---|---|---|---|---|---|
| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2018 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2018 |
| Web Page | Management of Pet Waste | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Summer 2018, annually | 2018 |
| Web Page | Leaf Litter | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Fall, 2018, annually | 2018 |
| Brochures/Pamphlets/Events | Pesticide awareness | Residents | DPW-Engineering/Natural Resources Commission (NRC) | Fall, 2018, annually | 2018 |
| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2018 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2018 |
| Annual Reports/web page | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2018 |
| Brochures/Pamphlets | General Stormwater Info | Residents | DPW-Engineering | Mailed to residents, total number distributed | 2018 |
| Brochures/Pamphlets | Waste Disposal | Commercial | DPW-Engineering | Flyer available at Bldg. Dept & BOH. Count number of flyers distributed | 2018 |

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| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2019 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2019 |
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| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2019 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2019 |
| Annual Reports | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2019 |
| Brochures/Pamphlets | General Stormwater Info | Developers (construction) | DPW-Engineering | Mail to 2018 permit applicants | 2019 |
| Brochures/Pamphlets | Fertilizer | Landscapers | DPW-Engineering | Brochure available at DPW. Count the number of flyers distributed | 2019 |

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|---|---|---|---|--|---|
| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2020 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2020 |
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| Brochures/Pamphlets/Events | Pesticide awareness | Residents | DPW-Engineering/Natural Resources Commission (NRC) | Fall, 2018, annually | 2020 |
| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2020 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2020 |
| Annual Reports | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2020 |
| Brochures/Pamphlets | Waste Disposal | Businesses, Institutions and Commercial Facilities | DPW-Engineering | Brochure available at RDF, BOH & Bldg. Dept. Count brochures distributed | 2020 |
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|---|---|---|---|------------------------------------|---|
| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2021 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2021 |
| Web Page | Management of Pet Waste | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Summer 2018, annually | 2021 |
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| Brochures/Pamphlets/Events | Pesticide awareness | Residents | DPW-Engineering/Natural Resources Commission (NRC) | Fall, 2018, annually | 2021 |
| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2021 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2021 |
| Annual Reports | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2021 |
| Brochures/Pamphlets | General Stormwater Info | Developers (construction) | DPW-Engineering | Mail to permit applicants | 2021 |
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|--|---|---|--|------------------------------------|--------------------------------------|
| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2022 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2022 |
| Web Page | Management of Pet Waste | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Summer 2018, annually | 2022 |
| Web Page | Leaf Litter | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Fall, 2018, annually | 2022 |
| Brochures/Pamphlets/Events | Pesticide awareness | Residents | DPW-Engineering/Natural Resources Commission (NRC) | Fall, 2018, annually | 2022 |
| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2022 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2022 |
| Annual Reports | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2022 |
| Brochures/Pamphlets | Fleet Maintenance | Businesses, Institutions and Commercial Facilities | DPW-Engineering | Mail to applicable businesses | 2022 |
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MCM 1: Public Education and Outreach

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|---|---|---|---|---|---|
| DPW Newsletter | Mitigating Stormwater | Residents | DPW-Engineering | Mail to Residents in Spring 2018 | 2023 |
| Web Page | Grass Clippings/Phosphorous free fertilizer | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Spring 2018, annually | 2023 |
| Web Page | Management of Pet Waste | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Summer 2018, annually | 2023 |
| Web Page | Leaf Litter | Residents, Businesses, Institutions and Commercial Facilities | DPW-Engineering | Fall, 2018, annually | 2023 |
| Brochures/Pamphlets/Events | Pesticide awareness | Residents | DPW-Engineering/Natural Resources Commission (NRC) | Fall, 2018, annually | 2023 |
| Classroom | Presentation | Middle School Students | DPW-Engineering | Spring 2018, annually | 2023 |
| Internet/YouTube | Think Blue Massachusetts | General Public | Massachusetts Statewide Stormwater Coalition | Statistics Report, report annually | 2023 |
| Annual Reports | Pond Restoration/Phosphorous Reduction | General Public | DPW-Engineering/Natural Resources Commission (NRC) | Phosphorous Removal | 2023 |
| Brochures/Pamphlets | General Stormwater Info | Residents | DPW-Engineering | Mail to residents, total number distributed | 2023 |
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Part III: Stormwater Management Program Summary (continued)

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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 SSO inventory in accordance of permit conditions | DPW-Engineering | Complete within 1 year of effective date of permit | 2019 |
| Storm sewer system map | Create map and update during IDDE program completion | DPW-Engineering | Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit | 2019 |
| Written IDDE program | Create written IDDE program | DPW-Engineering | Complete within 1 year of the effective date of permit and update as required | 2019 |
| Implement IDDE program | Implement catchment investigations according to program and permit conditions | DPW-Engineering | Complete 10 years after effective date of permit | 2020 |
| Employee training | Train employees on IDDE implementation | DPW-Engineering | Train annually | 2019 |
| Conduct dry weather screening | Conduct in accordance with outfall screening procedure and permit conditions | DPW-Engineering | Complete 3 years after effective date of permit | 2020 |
| Conduct wet weather screening | Conduct in accordance with outfall screening procedure | DPW-Engineering | Complete 10 years after effective date of permit | 2019 |
| Ongoing screening | Conduct dry weather and wet weather screening (as necessary) | DPW-Engineering | Complete ongoing outfall screening upon completion of IDDE program | 2019 |
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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 | Complete written procedures of site inspections and enforcement procedures | DPW-Engineering | Complete within 1 year of the effective date of permit | 2019 |
| Site plan review | Complete written procedures of site plan review and begin implementation | DPW-Engineering | Complete within 1 year of the effective date of permit | 2019 |
| Erosion and Sediment Control | Complete written procedures and specifications for engineering review at construction sites and begin implementation | DPW-Engineering | Complete within 1 year of the effective date of permit | 2019 |
| Waste Control | Complete written procedures and specifications for engineering review at construction sites and begin implementation | DPW-Engineering | Complete within 1 year of the effective date of permit | 2019 |
| Regulation Review | Review and access current regulations to improve stormwater controls | MAPC - Planning Board | Complete | 2018 |
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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 | The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP | DPW-Engineering | Require submission of as-built plans for completed projects | 2018 |
| Target properties to reduce impervious areas | Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually | DPW-Engineering | Complete 4 years after effective date of permit and report annually on retrofitted properties | 2020 |
| 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 | DPW-Engineering & Planning Board | Complete 4 years after effective date of permit and implement recommendations of report | 2020 |
| Street design and parking lot guidelines | Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options | DPW-Engineering & Planning Board | Complete 4 years after effective date of permit and implement recommendations of report | 2020 |

| 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 |
|--|---|---|---|---|
| Ensure any stormwater controls or management practices for new development and redevelopment meet the retention or treatment requirements of the permit and all applicable requirements of the Massachusetts Stormwater Handbook | Adoption, amendment, or modification of a regulatory mechanism to meet permit requirements | DPW-Engineering, Town Counsel | Complete 2 years after effective date of permit | 2020 |
| Phosphorus removal - retrofit inventory, priority ranking | Regulatory mechanism to meet permit requirements | DPW-Engineering, Town Counsel | Appendix H-1.a.i.2 | 2020 |
| Post-construction stormwater runoff program regulatory mechanism | Modify existing regulatory mechanisms (e.g., site plan review, drainage review) to incorporate 2017 Permit requirements | DPW, Planning Board, ZBA, Town Counsel, Town Meeting | By July 2020, ensure that all projects disturbing more than one acre are required to comply with items listed in Section 2.36.a.ii of 2016 Permit | 2018 |
| Post-construction stormwater runoff program implementation: application review | Continue to review and approve proposed stormwater management designs, including water quality BMPs | DPW/Engineering | Complete drainage review for all proposed projects disturbing more than one acre. Ensure approved BMPs are installed and functioning | 2018 |
| Post-construction stormwater runoff program: inspections | Monitor inspection and maintenance of privately owned BMPs | DPW/Engineering | All private BMPs with required O&M plans are identified in Town GIS system. Required annual reports are tracked and compliance evaluated | 2018 |
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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-Engineering | Complete and implement 2 years after effective date of permit | 2020 |
| Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment | Create inventory | DPW-Engineering, NRC | Complete 2 years after effective date of permit and implement annually | 2020 |
| Infrastructure O&M | Establish and implement program for repair and rehabilitation of MS4 infrastructure | DPW-Engineering | Complete 2 years after effective date of permit | 2020 |
| Stormwater Pollution Prevention Plan (SWPPP) | Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities | DPW-Engineering | Complete and implement 2 years after effective date of permit | 2020 |
| Catch basin cleaning | Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule | DPW-Engineering/Highway Division | Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually | 2019 |
| Street sweeping program | Sweep all streets and permittee-owned parking lots in accordance with permit conditions | DPW-Engineering/Highway Division | Sweep all streets and permittee-owned parking lots once per year in the spring | 2019 |
| Road salt use optimization program | Establish and implement a program to minimize the use of road salt | DPW-Engineering/Highway Division | Implement salt use optimization during deicing season | 2018 |

| 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 |
|---|---|---|---|---|
| Inspections and maintenance of stormwater treatment structures | Establish and implement inspection and maintenance procedures and frequencies | DPW-Engineering/Highway Division | Inspect and maintain treatment structures at least annually | 2019 |
| Grass cutting and leaf litter procedures | Establish for permittee owned operations | DPW-Engineering/Highway Division | Implement twice annually, See appendix II.1.a.i.3 | 2019 |
| Phosphorus Source Identification Report | Written report | DPW-Engineering | Within 4 years of effective date of permit, See Appendix II.1.b.i | 2021 |
| Potential Structural BMP's | Evaluate all permittee owned property for retrofit opportunities | DPW-Engineering | Within 5 years of effective date of permit, See Appendix II.1.c.i. | 2022 |
| Mechanical Weed Harvesting of Ponds | Mechanically remove aquatic weeds | DPW-Engineering/NRC | Visual observation of reduction of invasive and nuisance aquatic weeds (performed annually) | 2018 |
| Spill Control and Countermeasure (SPCC) training | Annual classroom training | DPW-Engineering | Annual training of employees | 2018 |
| O&M Program (Public BMP Maintenance) | O&M Program for all BMP's claimed for phosphorous reduction | DPW-Engineering | Number of BMP's and maintenance logs | 2019 |
| Waterbody Restoration | Phosphorus Inactivation system in Morses Pond | DPW-Engineering/NRC | Visual inspection of reduction of invasive and nuisance aquatic weeds | 2018 |
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Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

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.**

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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. 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.**

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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.

The DPW-Engineering Division is currently working with the EPA and MADEP in delisting Fuller Brook, which is on the integrated list of waterways with a TMDL for phosphorus and E. coli. The Fuller Brook Preservation Project (including installation of biofiltration systems, dredging, bank stabilization, drainage system upgrades and invasive species management) was completed last year. A sampling plan has been designed for implementation this year, to evaluate the impact of the project on water quality in the brook and determine whether Fuller Brook can be removed from the state list of impaired waters.

There are two large land areas owned by two colleges, Babson College and Wellesley College that have their own private utilities, including drainage areas and discharge points and are not managed by the Town. This includes vast areas of impervious area such as parking lots, buildings, pathways, etc.

Other land areas that are not managed by the Town include Worcester Street (Route 9) and the railroad tracks, owned by MassDOT and the MBTA.

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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.

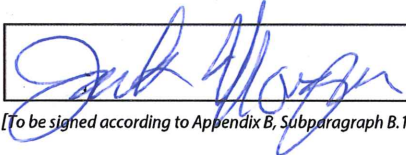
Name:

Jack Morgan

Title:

Board of Selectmen, Chairman

Signature:



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

Date:

10/01/18

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



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:

July 24, 2018

Consultation Code: 05E1NE00-2018-SLI-2494

Event Code: 05E1NE00-2018-E-05802

Project Name: NPDES MS4 General Permit 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-2494

Event Code: 05E1NE00-2018-E-05802

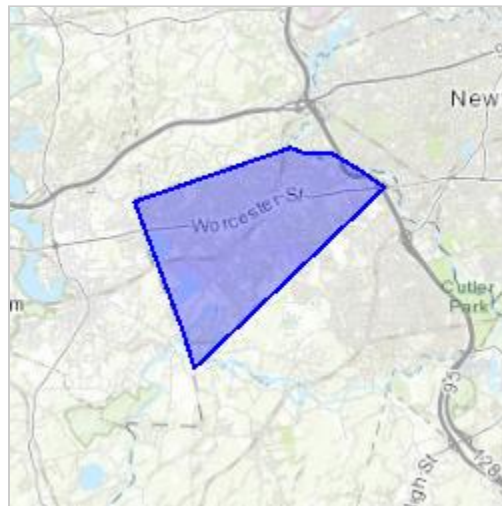
Project Name: NPDES MS4 General Permit 2018

Project Type: ** OTHER **

Project Description: Entire Town

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.296713012188555N71.29144582026109W>



Counties: Middlesex, MA | Norfolk, 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.

Tedder, Newton

From: Hickey, David <dhipkey@wellesleyma.gov>
Sent: Friday, October 05, 2018 11:36 AM
To: Tedder, Newton
Cc: Reports Stormwater; Saraceno, George; Tom Harrington; rlacey@miyares-harrington.com; Pakstis, Mike
Subject: RE: Small MS4 NOI submission - additional or corrected information required
Attachments: NOI_information_requested.pdf

Categories: Record Saved - Shared

Newton,

Please take this email as our response confirming the following; 1. Wellesley is not subject to Appendix F, Part A.II (Lake and Pond Phosphorous) for any discharges 2. We believe that all waters listed in our NOI, in fact the entire community of Wellesley are subject to the TMDL for the Charles River and therefore subject to Appendix F and not Appendix H or any additional requirements within Appendix H.

3. The original hard copy of our NOI will be submitted via US Mail today.

David J Hickey, Jr. PE
Town Engineer
Town of Wellesley
20 Municipal Way
Wellesley, MA 02481
781 235 7600 x3310

-----Original Message-----

From: Tedder, Newton [mailto:Tedder.Newton@epa.gov]
Sent: Tuesday, October 02, 2018 4:50 PM
To: Hickey, David <dhipkey@wellesleyma.gov>
Cc: Reports Stormwater <Stormwater.Reports@epa.gov>
Subject: Small MS4 NOI submission - additional or corrected information required

EPA requires additional or corrected information to receive a complete NOI submission for your MS4 and continue the review process.

Please respond to this email with the requested details in the attached report. You do not need to resubmit your entire NOI form. Please respond with the requested information as soon as you can. If the additional information is not received within 30 days of the date on this email EPA may initiate the process to deny your NOI, unless additional time is granted by EPA for such submission.

Newton W. Tedder
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100

Mail Code OEP06-4
Boston, MA 02109-3912
Phone: (617) 918-1038

All drains lead to the ocean