

Via Electronic Mail

May 21, 2026



Ms. Michelle Vuto
United States Environmental Protection Agency
New England Headquarters
Stormwater and Construction Permits Section (OEP06-1)
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: EPA Meeting Follow-up
Phase 1 Phosphorus Control Plan, Alternative Schedule Request
City of Newton, MA
MS4 General Permit #MAR041080

Dear Ms. Vuto:

On behalf of the City of Newton, MA, Woodard & Curran is pleased to submit this package in response to comments provided by EPA during our meeting on March 18, 2026, regarding the Phase 1 Phosphorus Control Plan (PCP) Alternative Schedule Request (ASR) submittal and EPA's written request for clarification.

In a letter to the City of Newton, dated November 26, 2025, EPA indicated that the ASR was incomplete due to missing or unclear information necessary for EPA to complete its review. Woodard & Curran (W&C) provided a letter in response to EPA's comments, dated February 3, 2026. Additionally, the City of Newton (City) and Woodard & Curran (W&C) met with EPA representatives on March 18, 2026, to review EPA's comments, and confirm alignment of any additional information that EPA required to complete its review.

The City and W&C have updated the ASR report in response to EPA's feedback during our meeting. The City's Phase 1 ASR has been updated to include a synopsis section, which provides an overview of the ASR itself and context in response to EPA's feedback. The synopsis section of the report is aligned with the report sections and addresses key components of the ASR for ease of review. The content of the body of the ASR remains unchanged. This letter also provides additional detail, in response to EPA's letter, which supplements our previous response letter and the updated ASR report.

The following additional information and responses to EPA's written comments are offered:

1. EPA commented that ASR Section 3 focuses primarily on evaluating site feasibility for structural SCMs rather than on controls Newton has or plans to implement in Phase 1. Though they acknowledge that site limitations can impact structural SCM implementation, they note that the Phase 1 ASR should be limited to evaluating affordability, not feasibility.

The City has advanced substantial due diligence efforts and fiscal expenditures in support of structural SCM implementation. These due diligence efforts have shown that site constraints are likely to result in differing SCMs, frequently with lower and more costly phosphorus load reduction than originally anticipated. Though these efforts have proven less successful than anticipated to date, they are critical, necessary planning and design steps which demonstrate the City's effort and progress toward meeting the required load reductions, as required by Appendix F, Section A.I.1.a.3 of the MS4 General Permit and described in the ASR Sections 1 and 3. The results of these due diligence efforts necessitate an alternate approach to Phase 1 implementation planning. The basis of Newton's Alternative Schedule is a fiscal based approach and therefore directly related to affordability, with the impact of affordability particularly evident for the City's most vulnerable residents, as detailed in the Synopsis and ASR.



Additionally, the City has realized approximately 112 lbs/yr of load reduction through structural measures as of the Permit Year 7 Performance Evaluation. This includes a combination of municipal and private redevelopment. Municipal improvements continue to be incorporated into school redevelopment projects and municipal park improvements, among others. These projects include the Gath Pool, Newton Free Library, Angier School, and others with additional projects planned. Municipal staff resources also support tracking of private redevelopment.

2. EPA requested clarification of capital costs associated with the Phase 1 structural controls and scenarios of the Financial Capability Assessment (FCA). Additionally, they requested clarification of how costs were derived, and which specific structural controls were included in those costs as well as cost of planned controls for which Newton's was requesting an alternate schedule.

The [City's Phase 1 PCP](#) estimated the cost for Phase 1 structural control implementation to be approximately \$112M. The Phase 1 PCP developed costs using EPA's published unit costs for the 68 prioritized opportunities identified for implementation to support Phase 1 load reductions; refer to ASR Section 4 and Phase 1 PCP Section 7.1.2 and Appendix E and G. The Financial Capability Assessment considered multiple scenarios; refer to ASR Section 4.2 and Appendix A for further detail.

FCA Alternative 1 evaluated standardized financial impact metrics for Clean Water Act obligations under two scenarios: stormwater and sewer costs (Scenario 1), and total water costs, also including drinking water (Scenario 2). The Phase 1 PCP structural implementation cost (\$112M) was utilized for these scenarios. FCA Alternative 2 used detailed financial and rate modeling to evaluate household cost impacts over time across multiple compliance scenarios, including baseline Phase 1 compliance (Scenario 1), full PCP implementation (Scenario 2), and the proposed alternative Phase 1 schedule. Alternative 2 Scenario 1 utilized \$112M per Phase 1 compliance, Alternative 2 Scenario 2 utilized an estimated \$447M straight line projection for full PCP implementation (Phases 2 & 3), and Alternative 2 Scenario 3 utilized the projected cost associated with the Phase 1 ASR of \$94.5M.

As detailed in ASR Section 5, the City's ASR utilized a fiscal based approach, since a project based approach was deemed unrealistic based on an assessment of implementation and planning performed. The City's Alternative Schedule is anticipated to result in a slightly lower Phase 1 implementation cost. This is based on an average \$/LB for phosphorus load reduction, averaged from the Phase 1 PCP prioritized projects, as opposed to a summation of specific project opportunity costs, among other factors. Refer to ASR Section 5.2.1. Therefore, since the City's ASR utilized a fiscal based approach, as opposed to project based approach, a timeline for specific projects is not applicable.

3. EPA noted that Newton included drinking water costs in its Financial Capability Assessment (FCA), which is allowed under EPA's 2024 Guidance to help assess total household water costs, but requested additional supporting detail, requesting detail of specific improvements and costs, clarification if improvements are required by regulation, relationship and overlap of utility service areas, and additional detail about the City's drinking water financing and historic financial reports among other information. Additional clarifying information is included in the ASR synopsis section.

The Financial Capability Assessment indicates a Low Impact. FCA Alternative 1 evaluates two scenarios: stormwater and sewer costs only, and total water-related costs, including drinking water. Please refer to ASR Appendix A, which includes referenced data sources. When drinking water costs are included, the Residential Indicator increases from Low to Mid-Range; however, the Financial Capability Matrix, which incorporates the City's Strong financial capability score, remains Low Impact. The Expanded Financial Capability Assessment Matrix is also unchanged, and the overall impact remains Low when drinking water costs are considered. Consequently,



the detailed drinking water information outlined in the 2024 Clean Water Act Financial Capability Assessment Guidance is not provided in the FCA, as inclusion of these costs does not affect the assessment results. While the FCA results show a low impact, the drastic cost increase to achieve the current permit timeline would have an immediate impact on City finances. Moreover, the logistical challenges of raising, managing, and expending this level of capital investment in the remaining timeframe for Phase 1 are impracticable.

Additionally, Newton has one of the highest combined water and sewer charges in the MWRA system and continues to see rate increases from MWRA; with stormwater fees assessed on top of water and sewer and the City's \$5M annual PCP commitment, large ongoing utility fee increases are anticipated.

4. EPA commented that Newton's FCA (Section 5 of the FCA, ASR Appendix A) considered the cost per household as a percentage of median household income (MHI) for the lowest income Census Tracts and select populations. EPA requested additional context of the low-income affordability analysis and clarification Newton's considerations to reduce costs and lessen impacts on low-income households. Additional details related to the number and percentage of the total population of these select populations are provided in the ASR synopsis section.

The City offers a water and sewer discount rate program (30% discount) for eligible resident who meet certain age and income levels. To offer financial flexibility, a 12-month payment plan is also available to help ease impact on residents, offering payments in equal installments or with a ballon payment, and does not charge interest for either option. Refer to Attachment F to the Financial Capability Assessment, ASR Appendix A.

We trust that the information provided is sufficient for EPA to complete its review of Newton's ASR and initiate the public comment period. Please feel free to contact me at skaiser@woodardcurran.com or (781) 619-3289, or Jonathan Yeo, Newton Stormwater Program Planner, at jyeo@newtonma.gov or (781) 488-8052, should you wish to discuss this Alternative Schedule Request and its advancement.

Sincerely,

WOODARD & CURRAN

A handwritten signature in blue ink that reads "Stephanie Kaiser".

Stephanie Kaiser
Senior Project Manager

CC: Shawna Sullivan, Josh Morse, Jonathan Yeo, Bernie McDonald, Thomas Fitzgerald, City of Newton
Zach Henderson, Carol Harris, Carly Quinn, Ethan Wilson, Woodard & Curran, Inc.
Danielle Gaito, EPA
Doug Coppi, MassDEP

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