

TOWN OF MILTON

DEPARTMENT OF PUBLIC WORKS
629 RANDOLPH AVENUE
MILTON, MA 02186
www.townofmilton.org

CHASE P. BERKELEY
Director of Public Works
JOHN P. THOMPSON, P.E.
Town Engineer
THOMAS MCCARTHY
Assistant Director of Public Works
JOHN CALABRO
Manager of Wires and Maintenance

CHRISTOPHER TRUDEL
Civil Engineer
ALLAN BISHOP, GISP
Engineering Department/GIS
HILLARY WAITE
Environmental Coordinator
KATHLEEN M. BOWEN
Senior Administrative Clerk – Conservation

August 10, 2018

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

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

To whom it may concern:

Please accept the submittal of the Town of Milton's Notice of Intent for permit coverage under the National Pollutant Discharge Elimination System 2016 Massachusetts Small MS4 General Permit. The Town will continue to develop the Stormwater Management Program and implement activities in accordance with regulatory requirements and as available funding permits.

If I can provide any additional information, please do not hesitate to contact me.

Sincerely,



Hillary Waite, Environmental Coordinator
Milton Department of Public Works
525 Canton Avenue
Milton, MA 02186
P: 617-898-4968
E: hwaite@townofmilton.org

Town of Milton, MA

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

Part I: General Conditions

General Information

Town of Milton, MA

EPA NPDES Permit Number (if applicable): #MAR041079

Primary MS4 Program Manager Contact Information

Hillary Waite, Environmental Coordinator

525 Canton Ave.

Milton, MA 02186

hwaite@townofmilton.org

Phone: 617-898-4968

Fax: 617-698-1540

Other Information

Stormwater Management Program (SWMP) Location

<https://www.townofmilton.org/stormwater-management/pages/stormwater-management-program>

Physical Location: Town of Milton Engineering Department
525 Canton Ave., Milton MA 02186

Eligibility Determination

Endangered Species Act (ESA) Determination Complete? Yes

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

National Historic Preservation Act (NHPA) Determination Complete? Yes

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

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? 97% Estimated date of completion: 07/01/2019

Web address where MS4 map is published: www.mapsonline.net/miltonma/miltonofficialmapper.html

To view the outfall map, add the "Drainage" layer.

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted?

Yes, adopted approx. 4/1/2003

Construction/Erosion and Sediment Control (ESC) Authority Adopted?

Yes, adopted approx. 5/1/2006

Post-Construction Stormwater Management Authority Adopted?

Yes, adopted approx. 5/1/2006

Part II: Summary of Receiving Waters

Below is a list of waterbodies and segments that receive discharge from Milton's MS4. Additional water bodies located within the geographical boundaries of Milton will be included in the Town's Stormwater Management Program for completeness. These water bodies are within the Town of Milton's borders, but may receive discharge from other MS4s including those in other municipalities and Commonwealth of Massachusetts agencies.

For each waterbody segment, the number of outfalls discharging into it and any applicable impairments are listed. **Only outfalls owned by the Town of Milton are counted in the summary below.** Outfalls owned by the Commonwealth of Massachusetts and its agencies are not counted.

This information is based on information from the Town's data, the Neponset River Watershed Association, MassGIS OLIVER, and the Massachusetts 2014 Integrated List of Waters, found at this link: <http://www.mass.gov/eea/docs/dep/water/resources/07v5/16ilwplist.pdf>.

As future MA Integrated Lists of Waters are published and approved, Milton will update its stormwater management plan and BMPs to reflect any changes.

Waterbody segment	Number of outfalls into receiving water segment (approximate)	Chloride	Chlorophyll-a	Dissolved oxygen/DO saturation	Nitrogen	Oil and Grease/PAH	Phosphorus	Solids/TSS/Turbidity	E. coli	Enterococcus	Other pollutants causing impairments
Pine Tree Brook	92	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Physical substrate habitat alterations Aquatic plants Fecal coliform
Neponset River (MA 73-02)	21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Debris/Floatables/Trash DDT Fecal coliform Foam/Flocs/Scum/Oil slicks PCB in fish tissue Other
Neponset River (MA 73-03)	19	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Debris/Floatables/Trash DDT Fecal coliform Foam/Flocs/Scum/Oil slicks PCB in fish tissue PCB
Unquity Brook	42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Debris/Floatables/Trash Low flow alterations Physical substrate habitat alterations Fecal coliform Low pH

Neponset River (MA 73-04)	15	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Debris/Floatables/Trash Fecal coliform PCB
Russell Pond	6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-native aquatic plants
Turners Pond	2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nutrient/eutrophication biological indicators
Popes Pond (Pine Tree Brook)	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Physical substrate habitat alterations Aquatic plants Fecal coliform
Gulliver Creek (aka Gulliver's Creek)	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fecal coliform PCB in fish tissue
Furnace Brook	4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Balster Brook	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a
Hemenway Pond	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a
Trout Brook	7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a
Wendell Brook	6*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a
Chestnut Run	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	n/a

*The street with outfalls draining to Wendell Brook is called Wendell Park. At time of NOI submission, construction of drainage retrofits at Wendell Park is ongoing. Before the retrofit, 28 scupper drainpipes on Wendell Park drained to Wendell Brook. Following retrofit, there will be 6 outfalls.

Part III: Stormwater Management Program Summary

The tables below identify the Best Management Practices (BMPs) that the Town of Milton will employ to address each of the six Minimum Control Measures. For Minimum Control Measure 1, we identify a target audience for each BMP. We do not identify BMPs for an industrial audience because Milton does not have any industrial facilities or zoning for such.

The Town's MS4 discharges to receiving waters with a TMDL for fecal coliform, E. coli, and enterococcus. The Town's MS4 also discharges to receiving waters that have impairments for oil and grease, solids, and total phosphorus, but there are no approved TMDLs for these impairments. Due to these special characteristics, the Town will undertake additional BMPs to support the achievement of the waste load allocation for the TMDL and pollutant reduction for other impairments. These BMPs are identified later in Part III.

Minimum Control Measure 1: Public Education and Outreach

BMP Number	BMP Description	Target Audience	Measurable Goal	Responsible Party	Beginning Year of Implementation
1-1	Educate dog owners about picking up dog waste	Residents	Distribute pet waste palm card with pet licenses	Department of Public Works, Town Clerk	Ongoing
1-2	Maintain mutt mitt stations in pet waste problem areas	Residents	Mutt mitt stations inspected regularly	Department of Public Works	Ongoing
1-3	Continue to enforce pet pick-up bylaw	Residents	Continued enforcement	Police Department	Ongoing
1-4	Inform owners of septic systems about proper maintenance	Residents	Owners notified yearly of responsibilities	Health Department	Ongoing
1-5	Update stormwater section of town website a minimum of three times per year	Residents	Update website regularly with information about pollutants and seasonal stormwater management	Department of Public Works	Ongoing
1-6	Inspect signs that identify water bodies or stormwater management structures within Milton	Residents and visitors	Inspect signs owned by the Town, MassDCR, or MassDOT that identify water bodies and notify entities if repair is necessary	Department of Public Works	Ongoing

1-7	Provide an annual update of the Stormwater Management Program at Board of Selectmen meeting	Residents and town government	Annual update with Board of selectmen	Department of Public Works	Ongoing
1-8	Develop two press releases per year about stormwater management	Residents	Publish two releases or bill stuffers per year	Department of Public Works	Ongoing
1-9	Develop two local access cable TV PSAs/programs per year that describe the importance of stormwater management	Residents	Air minimum of two stormwater programs or PSAs per year	Department of Public Works	Ongoing
1-10	Stuff water or stormwater bills with information about household Best Management Practices	Residents	Include stormwater management information in at least 1 quarterly water bills per year	Department of Public Works	Ongoing
1-11	Meet with neighborhood groups	Residents	Meet with at least one neighborhood association per year	Department of Public Works	Ongoing
1-12	Create a mailer for businesses	Businesses and commercial facilities	Develop a mailing or brochure geared to business audience and distribute to local businesses yearly	Department of Public Works	2018
1-13	Meet with personnel from Milton campuses and institutions	Institutional facilities	Develop a priority ranked list of institutions; meet with representatives in future years	Department of Public Works	2019
1-14	Develop a construction and development webpage	Construction/developers	Create webpage about NPDES and Town regulations for developers	Department of Public Works	2019
1-15	Create an information sheet about new Town regulations	Construction/developers	Create information sheet about new Town regulations and include with permitting checklist	Department of Public Works, Engineering Department	2020
N/A	No industrial audience in town				

Minimum Control Measure 2: Public Participation and Involvement

BMP Number	BMP Description	Measurable Goal	Responsible Party	Beginning Year of Implementation
2-1	Allow annual public review of the SWMP	Allow annual review of stormwater management plan	Department of Public Works	2018
2-2	Allow public comment for the SWMP	Create and publicize an online space for public comment on the stormwater management program	Department of Public Works	2018
2-3	Comply with state public notification guidelines at MGL Chapter 39 Section 23B	Notices posted as required	Town Clerk	Ongoing
2-4	Provide trash pick-up services at town clean-up days	Trash pickup and related supplies provided annually	Department of Public Works	Ongoing
2-5	Provide support for Neponset River Watershed Association projects	Assist with wetlands projects as requested by NepRWA	Department of Public Works	Ongoing
2-6	Assist in providing Milton Public Schools with stormwater and water pollution-related curricula	Continue offering NepRWA curricula in Milton classrooms annually	Department of Public Works	Ongoing
2-7	Hold municipal roundtables with department heads	One meeting held per year	All departments	2018

Minimum Control Measure 3: Illicit Discharge Detection and Elimination

BMP Number	BMP Description	Measurable Goal	Responsible Party	Beginning Year of Implementation
3-1	Create an inventory of Sanitary Sewer Overflows	Inventory completed in accordance with permit conditions within 1 year of permit effective date	Department of Public Works	Ongoing
3-2	Report any SSO to environmental agencies	Reporting requirements met	Department of Public Works	Ongoing as needed
3-3	Update and maintain the MS4 map	Update map in Phase I and II as described in permit	Department of Public Works	2018
3-4	Develop a written IDDE program	IDDE program drafted with outfall priority ranking; follow-up ranking after screening	Department of Public Works	Begin 2018 Complete 2019 Follow-up complete 2021
3-5	Investigate catchments based on priority	Develop written catchment investigation procedure and begin investigations	Department of Public Works	2018
3-6	Conduct ongoing dry- and wet-weather screening	Screen outfalls based on priority and according to procedures. Complete dry-weather screening by 2021 and wet-weather screening by 2028.	Department of Public Works	2018
3-7	Conduct annual employee IDDE training	Conduct employee training annually	Department of Public Works	2018
3-8	Continue to enforce correct connection bylaw	Require inspection for correct connection	Department of Public Works	Ongoing
3-9	Continue to implement town-wide sewer rehabilitation program	Continue to secure funding each year for rehabilitation project	Department of Public Works	Ongoing
3-10	Remove illicit discharges if found during routine maintenance	Maintain record of illicit discharges removed	Department of Public Works	Ongoing

Minimum Control Measure 4: Management of Construction Site Runoff

BMP Number	BMP Description	Measurable Goal	Responsible Party	Beginning Year of Implementation
4-1	Continue to require sediment and erosion control plan for applicable building sites	Document permit applications and approvals	Engineering Department	Ongoing
4-2	Continue to require a waste management plan for applicable building sites	Document waste management plans associated with construction sites	Engineering Department	Ongoing
4-3	Develop written procedures for site inspections and enforcement of sediment and erosion control measures	Written procedures and forms created by 2019	Engineering Department	2018
4-4	Develop written procedures for site plan review	Written procedures and forms created by 2019	Engineering Department	2018

Minimum Control Measure 5: Stormwater Management in New Development and Redevelopment

BMP Number	BMP Description	Measurable Goal	Responsible Party	Beginning Year of Implementation
5-1	Revise Town bylaws and regulations to ensure stormwater regulations meet permit requirements	Bylaws and regulations revised and passed	Town Meeting; Board of Selectmen; Warrant Committee; Town Counsel; Department of Public Works; Planning Board; Planning Department; Inspectional Services Department	2018/2019
5-2	Implement and enforce new Town regulations	Records kept of permit applications, inspections, BMPs, and other regulatory and enforcement actions taken	As dictated by new regulations	2018/2019
5-3	Require as-built plans for on-site stormwater control.	Require submission of as-built plans for completed projects	Engineering Department, Planning Department	2018/2019
5-4	Complete the EPA Water Quality Scorecard.	WQS completed	All	2019
5-5	Develop a report on impervious cover creation requirements	Report completed by 2022	Engineering Department, Planning Department	2022
5-6	Develop a report on low-impact development practices and green infrastructure	Report completed by 2022	Engineering Department, Planning Department	2022
5-7	Target Town-owned properties to reduce impervious areas	5 properties identified and report completed by 2022	Department of Public Works; Consolidated Facilities	2022

Minimum Control Measure 6: Pollution Prevention and Good Housekeeping for Municipal Operations

BMP Number	BMP Description	Measurable Goal	Responsible Party	Beginning Year of Implementation
6-1	Develop inventory of all Town-owned parks and open spaces, buildings and facilities, and vehicles and equipment.	Inventory created	Department of Public Works	2018
6-2	Develop written procedures for operations and management of municipal facilities, including parks, open spaces, buildings and facilities, and vehicles and equipment according to permit requirements.	O&M Manual developed	DPW, Parks, Police, Fire, Consolidated Facilities	2020
6-3	Develop written procedures for operations and management of municipal infrastructure, including street sweeping program; road salt use optimization program; and inspection and maintenance of stormwater treatment structures according to permit requirements.	O&M Manual developed	Department of Public Works	2020
6-4	Optimize the catch basin cleaning schedule such that no CB is >50% full at any time.	Schedule created and reported. Records created as CBs cleaned.	Department of Public Works	2020
6-5	Develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for the DPW yard	Pollution Prevention Team identified SWPPP created, signed, and implemented	Department of Public Works	2020
6-6	Identify potential sources of phosphorus and report to EPA and MassDEP	Submit "Nutrient Source Identification Report" by 2022 that includes potential structural BMPs to reduce nutrient loading	Department of Public Works	2020
6-7	Plan and construct structural BMPs to reduce nutrient loading to Unquity Brook	Structural BMPs scheduled and constructed	Department of Public Works	Schedule 2023 One BMP complete 2024
6-8	Hold annual Household Hazardous Waste Collection Day	Hold HHW drop-off day each year	Department of Public Works	Ongoing
6-9	Maintain Tree City USA status	Record kept of trees planted each year	Department of Public Works	Ongoing
6-10	Identify stormwater outfalls within Milton owned by other entities and inform them of their management responsibility	Entities notified after permit effective date	Department of Public Works	2018
6-11	Commission a flyover of Milton to ensure accurate stormwater utility fees	Flyover completed	Department of Public Works	Expected 2023

Actions for Meeting Total Maximum Daily Load Requirements

Applicable TMDL	Action Description	Associated BMP(s)	Responsible Party
Neponset River (Bacteria/Pathogen)	Adhere to requirements in part A.III of Appendix F	1-1, 1-2, 1-3, 1-4, 1-5, 3-4	Department of Public Works
Neponset River Addendum (Bacteria/Pathogen)	Adhere to requirements in part A.III of Appendix F	1-1, 1-2, 1-3, 1-4, 1-5, 3-4	Department of Public Works

Actions for Meeting Requirements Related to Water Quality Limited Waters

Pollutant	Waterbody ID(s)	Action Description	Associated BMP(s)	Responsible Party
<i>E. coli</i>	Pine Tree Brook Neponset River (MA 73-02, 73-03, 73-04) Unquity Brook Popes Pond	Adhere to requirements in part III of Appendix H	1-1, 1-2, 1-3, 1-4, 1-5, 1-8, 1-10, 3-4, 5-1, 6-1, 6-2	Department of Public Works, Engineering
Enterococcus	Neponset River (MA 73-03, 73-04)	Adhere to requirements in part III of Appendix H	1-1, 1-2, 1-3, 1-4, 1-5, 1-8, 1-10, 3-4, 5-1, 6-1, 6-2	Department of Public Works, Engineering
Fecal Coliform	Pine Tree Brook Neponset River (MA 73-02, 73-03, 73-04) Unquity Brook	Adhere to requirements in part III of Appendix H	1-1, 1-2, 1-3, 1-4, 1-5, 1-8, 1-10, 3-4, 5-1, 6-1, 6-2	Department of Public Works, Engineering
Phosphorus/nutrients	Unquity Brook	Adhere to requirements in part II of Appendix H	1-5, 1-8, 1-10, 3-4, 5-1, 6-1, 6-2, 6-4, 6-5, 6-6	Department of Public Works, Engineering, Planning Department
Solids/Oil/grease	Pine Tree Brook Neponset River (MA 73-02, 73-03, 73-04) Unquity Brook Russell Pond Turners Pond Popes Pond	Adhere to requirements in part V of Appendix H	5-1, 6-2	Department of Public Works, Engineering, Planning Department

Part IV: Notes and additional information

Certification information: The Town of Milton's Board of Selectmen voted to authorize Michael Dennehy, Town Administrator, to certify the Town's Notice of Intent for this permit on March 12, 2018.

ESA Eligibility Information: Enclosed please find a letter and list of species found in Milton issued by the US Fish and Wildlife Service. Also enclosed is a letter from Milton's Director of Public Works, Chase Berkeley, certifying that if the Town plans to install a structural BMP not identified in the NOI, the Town will conduct an endangered species screening for the proposed site.

Outfall Mapping information: To view the Town's outfall map, follow the link provided in Part I and select the "Drainage" layer of the GIS mapper. The Town's outfall map is represented in Part I as 97% complete to account for recent changes to the town drainage that have not yet been updated.

The Town has determined that the following parts of permit sections 2.2.1 and 2.2.2 do not apply to the Town because Milton is not located in the watersheds to which they apply, and therefore is not listed under these sections:

- 2.2.1(b).i – Charles River Watershed, phosphorus TMDL
- 2.2.1(b).ii – Northern Blackstone Basin – phosphorus TMDL
- 2.2.1(b).iv – Cape Cod municipalities – nitrogen TMDL
- 2.2.1(b).v – Assabet River Watershed – phosphorus TMDL
- 2.2.1(c).i – Long Island Sound municipalities – nitrogen TMDL
- 2.2.1(c).ii – out of state phosphorus TMDL
- 2.2.1(c).iii – out of state bacteria/pathogens TMDL
- 2.2.1(c).iv – out of state metals TMDL
- 2.2.2(a) – discharges to water quality limited bodies where nitrogen is the cause of the impairment
- 2.2.2(d) – discharges to water quality limited bodies where chloride is the cause of the impairment

Additional information about our MS4 program:

- As the 2016 permit requires, the Town will continue to implement our existing SWMP and control measures from the MS4-2003 permit. However, some of those minimum control measures will be reincorporated into new or renumbered BMPs in order to simplify the stormwater management plan where possible.
- Under the 2003 General Permit, some of the area of the Town of Milton was not part of the regulated area. Under the 2016 permit, the entire Town is within the regulated area.
- Within the Town of Milton there are a significant number of properties, catch basins, and outfalls that belong to the Commonwealth of Massachusetts and its agencies. While these items may appear in the Town's stormwater management maps, the Town of Milton is not responsible for maintenance and screening of infrastructure that belongs to the Commonwealth. The Town's outfall map should not be used as an official map of infrastructure belonging to the Commonwealth.

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: Michael DenochyTitle: Town AdministratorSignature: Michael DenochyDate: 8/8/2018

This document and future annual reports will be submitted electronically by email to stormwater.reports@epa.gov and (optionally) by mail to the following addresses:

EPA submittal address:

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

State submittal address:

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



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:

May 31, 2018

Consultation Code: 05E1NE00-2017-SLI-2763

Event Code: 05E1NE00-2018-E-04624

Project Name: NPDES Small MS4 permit

Subject: Updated 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: 05E1NE00-2017-SLI-2763

Event Code: 05E1NE00-2018-E-04624

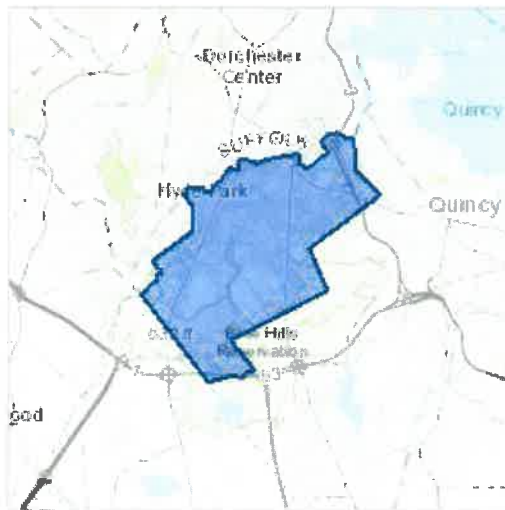
Project Name: NPDES Small MS4 permit

Project Type: Guidance

Project Description: Typical stormwater discharges as permitted by the NPDES MA Small MS4 permit

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.239402696213084N71.09259013163529W>



Counties: Norfolk, MA | Suffolk, 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.

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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.



TOWN OF MILTON

DEPARTMENT OF PUBLIC WORKS

629 RANDOLPH AVENUE

MILTON, MA 02186

www.townofmilton.org

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Director of Public Works

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Engineering Department/GIS

HILLARY WAITE

Environmental Coordinator

KATHLEEN M.BOWEN

Senior Administrative Clerk – Conservation

August 10, 2018

United States Environmental Protection Agency

5 Post Office Square – Suite 100

Mail Code OEP06-1

Boston, MA 02109-3912

ATTN: Newton Tedder

Massachusetts Department of Environmental Protection

One Winter Street – 5th Floor

Boston, MA 02108

ATTN: Fred Civian

To whom it may concern:

The Town of Milton agrees that, if during the term of the NPDES Massachusetts Small MS4 General Permit (effective July 1, 2018 – June 30, 2022 and any future extensions), the Town plans to install a structural BMP not identified in its Notice of Intent for permit coverage, that the Town will conduct an endangered species screening for the proposed site and contact the US Fish and Wildlife Service if we determine that the activity “may affect” or is “not likely to adversely affect” listed species or critical habitat under the jurisdiction of the USFWS.

Sincerely,

Chase Berkeley

Milton Department of Public Works