

March 29, 2010

Ms. Thelma Murphy
US EPA
Via email

Dear Ms. Murphy:

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The Charles River Conservancy strongly supports the EPA's draft MS4 stormwater general permit for Massachusetts North Coastal Watersheds, which will require towns, state and federal agencies to do more to reduce the amount of polluted rain water that runs off paved surfaces during storms, through storm drains, directly to our rivers, streams, lakes ponds, wetlands and coastal waters.

The Charles River Conservancy has long believed that the public investments made in improved waste water treatment, elimination of combined sewerage overflows, and management of storm water outflows (more than \$500 million documented to date) to make the Charles River "fishable and swimmable," should be accompanied by active measures to restore public swimming in the Charles. Accordingly, with support from the Boston Foundation, the Massachusetts Environmental Trust, and the Cabot Family Charitable Trust, the Conservancy has undertaken research on possible sites to restore swimming in the Charles and on swimming structures to facilitate access (such as docks or platforms for entry into deeper water). Our public education and advocacy for the return of swimming includes support of the Annual Charles River One Mile Swim Race, public exhibits of river swimming facilities in other countries, and education efforts through our newsletter and other media, including our *A Swimmable Charles?* booklet. The Conservancy is actively supporting the Charles River Water Quality Commission, established under recent Massachusetts legislation, to study how the river's water quality can be further improved to enable public swimming.

Phosphate loads are one of the major remaining impediments to swimming in the Charles. Excessive phosphate loads can lead to cyanobacteria blooms, particularly during summer months. The phosphate loads result largely from stormwater runoff during rain events and from wastewater treatment effluent discharges during dry weather. To reach consistently swimmable water quality standards, phosphorous loads from stormwater systems must be reduced.

In view of its interest in returning public swimming to the Charles, the Charles River Conservancy supports the requirements that the draft general permit place on municipalities to better monitor, prioritize, and address pollutant loads from their separate storm sewer systems.

The Conservancy has also previously endorsed the proposed Massachusetts Department of Environmental Protection's storm water management regulations. The provisions in EPA's Draft General Permit requiring preparation of Phosphorous Control Plans by communities bordering the Charles are particular noteworthy. However, four years seems an excessively long allowance of time before the plans are due. Further, a ten year period for implementation of the plans is overly generous. Under the prior general permit, communities had already had sufficient notice that greater actions were going to be required of them to curtail pollution loads from storm water systems and managers should have prepared themselves appropriately.

The Conservancy recommends that the general permit require municipalities to post easily accessible copies of their stormwater management programs, phosphorous control plans, water quality monitoring reports, and progress reports on-line. The Conservancy operates an

active volunteer program along the parklands of the Charles River. Ready access to such information would allow our volunteer organizers to educate and brief volunteers on efforts being made by municipalities to reduce pollution from stormwater runoff and thus further public outreach efforts in support of storm water management.

In conclusion, we urge EPA to incorporate the suggestions made by the Conservancy and our fellow environmental groups to strengthen the proposed MS4 permit, and above all to finalize and issue the permit in a timely fashion so that we can all begin to benefit from reduced pollution in our rivers.

Sincerely,

Via email

Mark Kraczkiewicz
Member of the Board
Charles River Conservancy

Karen Patterson Greene
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