

NASHUA RIVER WATERSHED ASSOCIATION

March 31, 2010

United States Environmental Protection Agency Region 1
Attn: Thelma Murphy, Office of Ecosystem Protection
5 Post Office Square, Suite 100 – Mail Code: OEP06-4
Boston, MA 02109-3912

RE: Comments on EPA's Draft General Permit for Small MS4s in the North Coastal Watersheds of Massachusetts.

Dear Ms. Murphy:

The Nashua River Watershed Association (NRWA) appreciates the opportunity to comment on the EPA's Draft General Permit for Small MS4s in the North Coastal Watersheds of Massachusetts. NRWA supports the Draft General Permit, and urges EPA to issue it within the year.

Founded in 1969, the NRWA is a member-supported organization that promotes land protection to protect water supplies, educates over 11,000 children and adults each year in its classroom, on-the-water, and adult environmental education programs, and supports an extensive volunteer water monitoring program in the Nashua River watershed.

Stormwater is a major contributor to water quality impairment in the Nashua River watershed. Although some municipalities in the Nashua River watershed have done a great job complying with the 2003 General Permit for Small MS4s ("General Permit"), others still have a lot of work to do to fully comply. The NRWA strongly supports the EPA in requiring federal, state and local agencies to do more to control polluted runoff into our wetlands, rivers, lakes and ponds with the new General Permit for the North Coastal Watersheds. We believe this General Permit will set the standard for draft General Permits to be issued in the near future for other watersheds in the Commonwealth, and therefore is an important step towards stormwater and water quality improvements throughout the state.

The NRWA agrees with the EPA's General Permit on the following points:

- Requiring stringent task timelines for municipalities to comply with the General Permit. While progress has been made in some municipalities over the past

several years, many towns have been extremely slow in making any progress towards stormwater improvements.

- The requirement that municipalities eliminate illicit discharges to stormwater systems. The NRWA has worked with the cities of Fitchburg and Leominster in recent years to sample to determine the source of illicit sources of bacteria leading directly to the North Nashua River. More of this work still needs to be done. We also believe the towns can do more to eliminate discharges from their own properties, streets and parking lots.
- The requirement that stormwater be infiltrated into the ground as close to where it falls as possible to reduce pollutant loads and also increase base flow during times of low flow.
- Support of the development of Stormwater Utilities in the towns. Stormwater Utilities are a financially feasible way for municipalities to approach stormwater management. NRWA believes many cities and towns would benefit from such a utility, and supports their establishment.

The NRWA believes the General Permit could be strengthened in the following ways:

- Require elimination of existing contaminated stormwater discharges that cause the most threat to human health and the environment (e.g., beach closings and poor water quality resulting in threats to boating and other recreational pursuits). The NRWA usually tells people not to boat on the Nashua River within three days of a storm event due to wet weather discharges from urban areas.
- Require that all stormwater reports submitted by federal, state and town agencies to EPA Region I regarding stormwater compliance be accessible on-line by citizens and other groups interested in the information.
- Require specific targets for reducing rainwater runoff from federal, state, and municipal parking lots, roofs and other impervious surfaces, to reduce the overall volume of stormwater entering surface waters, and also decrease the pollutant loads from runoff. Infiltration will help to maintain adequate baseflow to rivers, wetlands and ponds during periods of low flow, and will increase recharge of drinking water supplies.
- Require all new development of one acre or more to reduce pollutants in 90 % of the stormwater for an average year, not just 66%.
- EPA should encourage towns and cities to work cooperatively with neighboring municipalities, citizens and local watershed groups to find low-cost methods of managing polluted stormwater runoff. The NRWA has experience helping towns develop stormwater bylaws and detecting illicit discharges. Over 40 NRWA water monitoring volunteers collect EPA and MassDEP quality-assured data. Towns and cities would do well to tap into this resource available to them.

The NRWA is aware that these measures impose additional costs to municipalities, and is sympathetic to their plight. However, there are many incremental steps the cities and towns can take to begin raising awareness and the funding needed to meet the General Permit requirements. These steps include:

1. Strict LID requirements for new development and redevelopment.
2. Develop a broad definition of redevelopment to require upgrades to stormwater management when roofs, parking lots and other structures are replaced.
3. Establish a stormwater utility to charge a fee for new or increased stormwater runoff from new or redeveloped property.
4. Require existing large developments to reduce the amount of runoff from their facility, and improve the water quality leaving their facility, or pay a fee to the Stormwater Utility or municipality.
5. Work with local watershed organizations to identify illicit discharges, monitor waters and conduct educate and outreach to the public about stormwater (see last bullet, above).
6. Establish a strong public education effort to garner political support from citizens for the taxpayer funding of stormwater management.
7. Work with other municipalities on compliance issues and educational outreach.
8. Work with local watershed groups to bring the message about polluted stormwater runoff and the impact it has on recreational and economic opportunities in the city or town to municipal gatherings or Town Meetings.

Thank you for allowing NRWA to comment on EPA's Draft General Permit for Small MS4s in the North Coastal Watersheds of Massachusetts.

Sincerely,

A handwritten signature in blue ink that reads "Martha Snow Morgan". The signature is written in a cursive, flowing style.

Martha Snow Morgan
Water Programs Director