



Saugus River Watershed Council

31 March 2010

Thelma Murphy
U.S. Environmental Protection Agency
Office of Ecosystem Protection
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: DRAFT NPDES Permit for Small Municipal Separate Storm Sewer Systems (MS4)

Dear Ms. Murphy:

The Saugus River Watershed Council (SRWC) is a non-profit organization founded in 1991 to protect and restore the natural resources of the Saugus River watershed. We have reviewed the Draft General Permit for Small Municipal Separate Storm Sewer Systems (MS4s) located in the North Coastal watershed and would like to express our very strong support for the proposed permit.

Implementing the new permit as quickly as possible is essential to: 1) protecting natural resources in the Saugus River watershed from pollution, 2) protecting public health from problems caused by flooding throughout the watershed, and 3) reducing local costs associated with infrastructure repair and replacement following major flooding events.

Background

The Saugus River watershed encompasses all or part of the following 11 communities: Saugus, Lynn, Revere, Wakefield, Lynnfield, Reading, Melrose, Everett, Malden, Peabody, and Stoneham. Our entire watershed is therefore covered by the proposed permit for the North Coastal watersheds. Water resources located within the Saugus River watershed provide a major source of drinking water for the City of Lynn, as well as important habitat for shellfish, anadromous fish, shore birds and other wildlife.

Despite ongoing municipal efforts to upgrade faulty and inadequate storm drainage systems, the rivers, lakes and wetlands of the Saugus River watershed are degraded by high levels of pollutants including bacteria, nutrients, road salt, heavy metals, and other contaminants following every rainstorm.

Over the past decade, we have observed several significant changes in local conditions that are linked to both stormwater pollution as well as the increasingly intense / sporadic weather conditions associated with climate change. These changes include a drastic increase in several species of invasive aquatic vegetation in the upper portions of the watershed, significant toxic algal blooms in Lake Quannapowitt which forms the headwaters of the watershed, and a decline in anadromous fish such as rainbow smelt.

Problems associated with stormwater pollution and flooding are on the rise as the number and intensity of local rain storms increase. Protecting and enhancing buffer zones, eliminating sources of stormwater pollution, implementing low impact development techniques, and promoting best management practices throughout the watershed are more important than ever as we strive to mitigate the ongoing and potential negative impact of climate change at the local watershed level.

Specific Comments Regarding the Draft Permit

SRWC supports the permit's provisions to ensure that discharges from a permittee's MS4 do not cause or contribute to an exceedance of water quality standards. We also recommend that the proposed NPDES permit provisions be expanded to increase requirements aimed at eliminating contaminated stormwater discharges from existing outfalls that discharge to priority receiving waters.

Discharges to Impaired Waters

The proposed permit highlights the need to develop Total Maximum Daily Loads (TMDLs) for impaired waters located within the Saugus River watershed. We urge the EPA to step up the timeline for developing TMDLs for all of the impaired waters in the North Coastal watersheds. More targeted protection goals and permit requirements linked to TMDLs will result in much more effective permit requirements targeted to specific vs. broad-based pollution problems.

Illicit Discharge Detection and Elimination Program

Implementation of the illicit discharge detection and elimination program is a high priority for MS4s located within the Saugus River watershed. Lake Quannapowitt, the Saugus River and its tributaries, Reedy Meadow, and the Rumney Marshes Area of Critical Environmental Concern are all negatively impacted by bacterial pollution associated with illegal and unknown connections to municipal stormwater systems. SRWC strongly supports the permit's requirements to prohibit sanitary sewer overflows and eliminate all illegal connections in an expeditious manner.

Construction Site Stormwater Runoff Control

SRWC supports the permit's requirements to reduce stormwater runoff associated with construction projects that involve land disturbance equal to or greater than one acre. Sediment and erosion controls supported by Best Management Practices are needed to reduce impacts throughout the construction process. However, given the increasing number of '100-year' rainstorms throughout New England, requiring construction stormwater runoff controls to manage 1 inch of runoff or a 2 year 24-hour rain event are unlikely to be sufficient for preventing widespread erosion and associated pollution problems.

We also encourage EPA to add language encouraging municipalities to require similar sediment and erosion controls for smaller construction projects (less than one acre) that can have a significant cumulative negative impact on water quality throughout the watershed.

Stormwater Management for New Development and Redevelopment

SRWC strongly supports the permit's goal of mirroring or improving a site's hydrology and reducing stormwater for new development and redevelopment projects of one or more acres. These expanded levels of stormwater pollution prevention will help to protect groundwater supplies, reduce flooding problems, and curb new sources of stormwater pollution.

However, given the urban nature of the Saugus River watershed, cumulative impacts associated with new and redeveloped sites of less than one acre can also contribute a great deal of stormwater pollution and increase flooding problems by expanding impervious surfaces. SRWC asks EPA to add language encouraging municipalities to require similar stormwater controls for smaller development or redevelopment projects that can have a significant cumulative negative impact on water quality throughout the watershed.

SRWC strongly supports the permit's requirements to require local regulation of runoff, and to assess local regulations to ensure that they promote low impact development techniques such as rain gardens, green roofs, and pervious pavement. SRWC asks the EPA to include language encouraging municipalities to adopt local ordinances requiring at least two on-site inspections to ensure that stormwater management systems are operating according to plans.

Directly Connected Impervious Areas

SRWC strongly supports the proposed permit provisions aimed at reducing the frequency, volume and peak intensity of stormwater discharges to and from its MS4 through retrofitted Best Management Practices. Disconnecting large paved surfaces from the stormwater system will help reduce flooding and stormwater pollution while improving groundwater recharge needed to protect water supplies during extended dry periods. The increasing intensity and frequency of rain storms only highlights the need for these expanded measures to reduce impervious areas and increase infiltration.

Pollution Prevention Operations

SRWC supports the proposed permit provisions related to improving maintenance and operations practices for permittee owned operations. We recommend that the language regarding road salt storage be strengthened to require vs. recommend that salt storage areas be located away from locations that drain to rivers, streams and wetlands. Water resources throughout the freshwater portions of the Saugus River watershed are already exhibiting elevated levels of salinity that persist even through the summer months in some locations.

Specific requirements associated with catch basin cleaning, street sweeping, and other maintenance activities are needed to reduce stormwater pollution and help prevent flooding problems that often occur when catch basins become completely clogged. Given the number and intensity of rain storms, catch basin inspections and any needed cleaning should be required at least four times per year as well as following every major rainstorm.

Outfall Monitoring Program

SRWC strongly supports the proposed new requirement for an outfall monitoring program focused on high priority areas. Additional language is needed to more directly link the results of the outfall monitoring with stormwater pollution remediation actions.

Public Education

SRWC supports the permit's requirements regarding public education, which are extremely important to ensuring that stormwater pollution prevention efforts focus on all sources of pollution associated with residences, businesses, industrial facilities, or sites under development.

Public Participation / Involvement

SRWC supports the proposed requirements related to mapping the entire storm sewer system including all outfalls and receiving waters. We recommend that this information be posted on-line so that it is available to the public as well as non-profit watershed management organizations.

We also strongly support the permit's proposal to make all stormwater management program and annual reports available to the public, and to provide an opportunity for the public to participate in review and implementation of stormwater management program.

In closing, we ask you to implement the proposed general permit for stormwater discharges from small municipal storm sewer systems in the North Coastal watershed as soon as possible. Please feel free to contact me at 781-233-5046 if you have any questions about the Saugus River Watershed Council or our comments regarding this permit.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Joan LeBlanc". The signature is written in a cursive, flowing style.

Joan LeBlanc
Executive Director