



March 31, 2010

Thelma Murphy  
Stormwater Coordinator  
EPA Region 1  
5 Post Office Square – Suite 100  
Boston, MA 02109

Dear Ms. Murphy,

The Sudbury, Assabet and Concord Wild and Scenic River Stewardship Council is sending this letter in support of the MS4 Stormwater Draft General Permit (the Permit) for the North Coastal Watersheds of Massachusetts. We urge its adoption as soon as possible. By controlling stormwater through this permit, there is the potential for significant water quality improvements and protection of stream flows in the rivers of Massachusetts.

As you know, 29 miles of the Sudbury, Assabet and Concord Rivers were nationally designated as Wild and Scenic Rivers in 1999 because of their outstandingly remarkable resource values, including ecology, scenery, recreation, history and literature. The River Stewardship Council (RSC) was created to work with the National Park Service to protect these resources. It includes membership from the Towns of Framingham, Wayland, Sudbury, Lincoln, Concord, Carlisle, Bedford and Billerica, as well as Sudbury Valley Trustees, Organization for the Assabet River, Suasco Watershed Community Council and state and federal representatives.

Degradation of water quality is a serious threat to our rivers, one on which the RSC has focused much attention. Stormwater is a major contributor to water quality impairments in the lower Sudbury River, and it is a significant contributor to both the Assabet River and Concord River pollution problems with

respect to both phosphorus and pathogen contamination. Stormwater runoff is an increasing threat to base flows in the rivers as well. Runoff from impervious surfaces that does not infiltrate back into the ground water accentuates natural low flow conditions and allows silt and pollution to flow directly into the rivers, degrading water quality and threatening habitat for aquatic species. Conversely, during spring high flows such as we are currently experiencing, runoff from impervious surfaces and discharges from stormwater systems both contribute to dangerous flood conditions downstream.

There are eight towns along the wild and scenic segment; portions of two of them (Lincoln and Wayland) are included in the North Coastal Watershed Draft General Permit. While the RSC is submitting comments in part, because of these towns, this Permit will also set a precedent for future permits that address other watersheds and other towns on the wild and scenic segment.

The RSC supports the efforts EPA has made in the Permit to control stormwater in a more comprehensive way. Specifically, we support efforts to eliminate current problems by finding illicit connections and disconnecting large paved surfaces from the stormwater system so that water will infiltrate on-site, filtering pollutants and replenishing local water supplies. In that regard, we endorse the efforts of EPA and MADEP to encourage use of LID techniques. Also, we support requirements to sample outfalls so that the quality of direct discharges into rivers can be monitored and improved, if necessary. We support the focus on updated municipal bylaws and increased public education in an effort to minimize new sources of stormwater.

We recognize that some of the requirements of the Permit, especially for sampling, may seem onerous to municipal governments. As described above, we believe sampling is important. To allay some towns' concerns, we suggest that the Permit be flexible enough to encourage municipal governments to work in cooperation with local watershed groups that are equipped to do this kind of sampling. Many watershed groups have trained volunteers, and already undertake sophisticated sampling programs, at low costs.

The Permit is very restrictive for any new development in a watershed with a TMDL or an impairment, which we support. There are other watersheds however, such as the Sudbury River, that do not have a TMDL or may not be on the 303d list, but nevertheless have poor water quality. Data currently being collected on the Sudbury River may lead to a TMDL, but the process is not yet complete. We believe the Permit should look to other sources of water quality data in addition to the 303(d) list in order to determine impaired waters. In the case of the Sudbury River, data used by the EPA in the fact sheet for the Wayland wastewater treatment plant indicates impairments for phosphorus. Additional data is currently being generated by a local watershed organization. These data sources should be used to help assess water quality in the Sudbury River, and when a river is considered impaired, strict restrictions on pollutants should be applied.

Stormwater management programs developed by each town should be made available to the public. They may be of interest to many town residents, as well as to watershed groups, businesses and developers. These programs should be placed in a central location, such as on EPA's website, so any interested party may access them. This also may encourage towns to learn from each other.

We support the efforts made by EPA in this Permit to protect and improve water quality in Massachusetts Rivers. We urge the EPA to finalize and implement the Permit as expeditiously as possible, and then to use it as a model for others that will cover the entire Commonwealth.

Thank you for the opportunity to comment.

Sincerely,

Susan J. Crane, Chair  
Sudbury, Assabet and Concord Wild and Scenic River Stewardship Council