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Ms. Kate Renahan, Office of the Regional Administrator
U.S. EPA, Region 1
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Ms. Ann Lowery, Deputy Commissioner,
MA Department of Environmental Protection
Ann.Lowery@state.ma.us

Subject: Comments on EPA's Draft General Permit for Small MS4s in the Interstate, Merrimack and South Coastal Watersheds of Massachusetts – (NPDES Permits MAR041000, MAR042000, and MAR04000I).

Dear Ms. Renahan and Ms. Lowery:

I am writing to convey my support for EPA's Draft General Permit for Small MS4s in the Interstate, Merrimack and South Coastal Watersheds of Massachusetts and urge EPA and MA DEP to issue it within the year.

According to state environmental officials, approximately 60% of the water pollution in Massachusetts comes from polluted rainwater. Rainwater from roads, parking lots, and other hard surfaces in my hometown of Sharon carries dog poop, gasoline, trash, and even toxic chemicals through municipal storm drains directly into our rivers, streams, lakes, ponds, wetlands and coastal waters. Towns as well as state and federal agencies must do more to remove pollutants from rainwater runoff, and prevent pollutants from accumulating on streets and other hard surfaces in the first place.

I have attached a photo of a storm drain in Sharon, which empties into Beaver Brook, where a remnant population of reproducing brook trout is hanging on in the upper reaches despite habitat degradation. Brook trout, the "canaries in the coalmine" for aquatic ecosystems, have largely disappeared from eastern Massachusetts.

In particular, I strongly support provisions in the draft General Permit that require or encourage towns, state and federal agencies to:

- a. Find and get rid of pipes illegally connected to town, state or federal storm sewers designed only for rainwater. These illegal connections often contaminate stormwater with untreated human waste and toxic pollutants.

- b. Sample water that is discharged from storm sewer outfall pipes to rivers, streams, lakes, ponds and wetlands to determine the types, quantities and concentrations of pollutants they may contain.
- c. Treat stormwater so that discharges do not pollute waterways or further degrade already polluted waterways.
- d. Prevent pollution of stormwater by covering and properly managing potential sources of pollutant such as road salt, motor oil and exposed soil.
- e. Disconnect large paved surfaces (such as buildings, parking lots, driveways and streets) from storm drains. These surfaces funnel huge quantities of polluted stormwater into storm drains which discharge to rivers, streams, lakes, ponds, and wetlands.
- f. Adopt or amend municipal bylaws, ordinances or other local regulations requiring new developments to treat and infiltrate runoff, and reduce the amount of the pollutants in their runoff before it reaches the town storm sewers.
- g. Educate residents, employees and businesses about the damage stormwater runoff does to local waterways and clearly communicate what they can do to help protect and restore water supplies, rivers, lakes, ponds and wetlands affected by storm water pollution.

In addition, EPA should change the draft permit in the following ways:

- a. In response to apparent pressure from MA DEP, this proposed permit weakens an important permit provision included in the Draft General Permit for the North Coastal Watersheds Massachusetts (2010). The North Coastal Draft General Permit requires new development and redevelopment projects of “one or more acres” to meet a number of DEP’s Stormwater Standards, specifically #3-6 for new development and #7 for re-development. By contrast, EPA’s Draft General Permit for the Interstate, Merrimack and South Coastal Watersheds requires projects that “result in two or more acres of impervious surface” to comply with those standards. The “one or more acres” threshold should be restored in the Draft General Permit. Towns are already required by EPA’s existing 2003 MS4 permit to issue stormwater permits to all development that disturbs more than an acre, so having them comply with a few basic DEP Stormwater Standards would not be a great burden.
- b. EPA should include performance standards based on Low Impact Development (LID) and Green Infrastructure stormwater management practices in the proposed General Permit. At a minimum, these performance standards should be included in the Post-Construction bylaw that the Draft General Permit requires municipalities to adopt or amend.

c. The Draft General Permit should require towns, state and federal agencies to eliminate or relocate stormwater discharges that have reasonable potential to contaminate reservoirs, lakes and ponds that are used as drinking water sources.

Thank you for considering my comments on EPA's Draft General Permit for Small MS4s in the Interstate, Merrimack and South Coastal Watersheds of Massachusetts.

Sincerely yours,



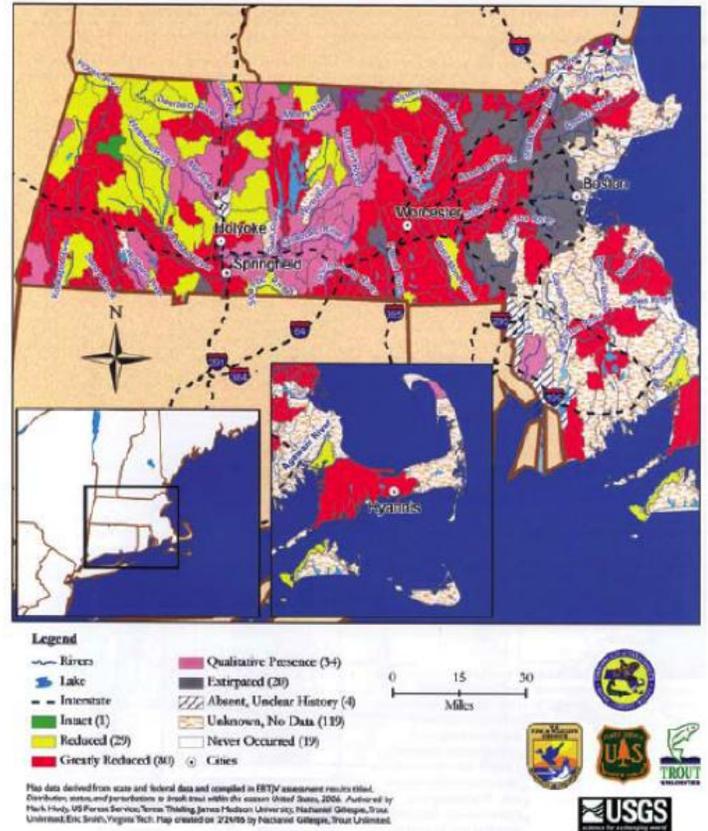
Paul Lauenstein

Cc: Representative Lou Kafka, Louis.Kafka@mahouse.gov

Polluted storm water flowing to brook trout habitat in Sharon.



Brook trout are disappearing in Massachusetts.



The Eastern Brook Trout Joint Venture — the first pilot project of the groundbreaking National Fish Habitat Initiative — produced this map to illustrate the current status of the brook trout in Massachusetts in relation to its historical range. Data remains incomplete in some areas (particularly south of Boston to Cape Cod) and is limited to simply "present/absent" in more than 10% of the subwatersheds involved, but it certainly provides a starting point for restoration. Brook trout require clean, cold, well oxygenated water to survive; as a result they have disappeared from many waters that have been fragmented by dams and culverts (which act as barriers that isolate populations and prevent the fish from reaching spawning or summer refuge sites) or damaged by heavy sedimentation, various pollutants, or habitat alterations which have increased water temperature beyond what the species can tolerate.