



TOWN OF WESTFORD

ENGINEERING DEPARTMENT

PAUL M. STARRATT, P.E.
Town Engineer
JEREMY R. DOWNS, P.E.
Assistant Town Engineer

March 11, 2011

EPA-Region 1
Attn: Kate Renahan
Office of the Regional Administrator
5 Post Office Square – Suite 100
Mail Code: ORA01-1
Boston, Massachusetts, 02109

Re: Comments on the Draft Massachusetts Interstate Merrimack South Coastal Small MS4 General Permit

Dear Ms. Renahan:

The Town of Westford respectfully requests that you give serious consideration to the following comments in order to enhance and improve the most recent draft of the MS4 General Permit for our jurisdiction. Through implementation of our Stormwater Management Plan developed under the 2003 MS4 General Permit, the Town has realized many benefits from the increased stewardship of our natural resources, but we are concerned that the current draft is directed more aggressively toward urban areas with adverse effects on more rural areas such as Westford.

Please refer to the *Draft Massachusetts Interstate Merrimack South Coastal Small MS4 General Permit* for section numbers.

Section 2.4.2 Public education and outreach defines increased educational program levels including, at a minimum, outreach to residents, businesses, institutions (private colleges, private schools, hospitals), and commercial facilities, developers (construction), and industrial facilities. We recommend that the EPA provide guidance on the most effective methods for educating the above listed outreach categories on a variety of topics. In addition, we recommend that EPA sponsored seminars should be held to demonstrate successes that communities have had in their public education activities. This will allow municipalities to share information and methodologies that the EPA has found to be successful. Finally, the prescribed four audiences do not include school-aged children and we believe that this is a major oversight. The town has implemented an ambitious program, previously awarded by the EPA, where all fifth grade students are provided with a hands-on lesson that teaches responsible stewardship of our natural resources and emphasizes the importance of stormwater management. We recommend that the EPA specifically include school-aged children as one of the target audiences.

Engineering Department
28 North Street • Westford, MA 01886-2597
Tel. (978) 692-5520 • (978) 692-5517 • Fax (978) 399-2739

Section 2.4.2 also states that “The permittee shall identify methods that it will use to evaluate the effectiveness of the educational messages and the overall education program. Any methods used to evaluate the effectiveness of the program shall be tied to the defined goals of the program and the overall objective of changes in behavior and knowledge.” While the Town appreciates the value of having measurable goals, we are concerned that it will take more time and effort to evaluate the effectiveness of a program, than it will to implement the program. The Town will be accountable for delivering the messages to the proposed recipients; however, we can not be accountable for how the message is received or how an audience chooses to act upon the information that is provided. We recommend that the effectiveness of the messages not be an item requiring measurement. If this requirement does remain in the permit we would like guidance from the EPA.

Section 2.4.6.9.b. "Beginning with the second year annual report and in each subsequent annual report, the permittee shall estimate for each sub-basin identified pursuant to Part 2.4.6.9(a) the number of acres of IA and DCIA tributary to its MS4 that has been added or removed during the prior year. The permittee shall include in its estimates the additions or reductions resulting from development, redevelopment, or retrofit projects undertaken directly by the permittee; or by private developers and other parties in a voluntary manner or in compliance with the permittee's regulations pursuant to Part 2.4.6.3 of this permit." This estimate is very difficult to monitor since there are numerous activities that take place on private property that the Town does not have jurisdiction over, but may result in either an increase or decrease of impervious area. For example, the installation of a driveway or basketball court which increases impervious area but does not typically require a permit from the town. The connection of gutters to rain barrels, rain gardens, or an infiltrating BMP also do not require permits from the town but will result in a reduction of connected impervious area. There is no reasonable method for tracking this information. We recommend the elimination of this requirement from the draft as it is likely to be very time-consuming and will only provide inaccurate data.

Section 2.4.7.1.iv. "The permittee shall establish procedures for sweeping and/or cleaning streets, and permittee owned parking lots. The streets shall be swept and/or cleaned a minimum of twice per year, once in the spring (following winter activities) and once in the fall (leaf clean up). The permittee shall report in each annual report the number of miles cleaned and the volume or mass of material removed.." Most communities do not have the equipment or manpower to provide this level of parking lot cleaning. We recommend that this requirement be removed or at minimum changed to a suggestion of cleaning of parking lots to the maximum extent practicable.

Part 3.1.4.3 allows permittees to reduce the number of outfalls for wet-weather sampling when the amount of impervious cover discharging through an outfall is less than 10 percent of the catchment area. The permittee must document this determination and maintain it as part of the SWMP. Although the fact sheet does not explicitly state so, we assume this 10 percent threshold is based on studies from the Center for Watershed Protection (CWP). The 10 percent threshold identified in CWP's 1994 article titled "the Importance of Imperviousness" is not a sharp breakpoint for differentiating between unimpaired waterbodies and impaired waterbodies. In fact, the Impervious Cover Model shows substantial impairs occur when imperious cover is over 25%. Also, this model is applicable to subwatersheds, not necessarily smaller catchment areas.

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Wet weather sampling is very time consuming and cost-intensive, and increasing the impervious cover threshold to 15 percent would reduce the number of catchments the Town has to visit during wet weather events, thereby allowing the town to focus on the areas with more impervious surface, which, as shown by CWP, result in more substantial water quality problems. We therefore recommend that the EPA increase the threshold to 15%.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul M. Starratt". The signature is stylized with a large, looped "P" and a long horizontal stroke at the end.

Paul M. Starratt, P.E.
Town Engineer

cc: Jodi Ross, Town Manager
Angus Jennings, Director of Land Use Management
Chris Kluchman, Town Planner
Representative Niki Tsongas
Board of Selectmen