Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part I: General Conditions

General Information

Name of Municipality or Organization: Town of Chelmsford State: MA

EPA NPDES Permit Number (if applicable): MAR041185

Primary MS4 Program Manager Contact Information

Name: Stephen Jahnle Title: Assistant Director of Public Works

Street Address Line 1: 9 Alpha Road

Street Address Line 2:

City: Chelmsford State: MA Zip Code: 01824

Email: sjahnle@townofchelmsford.us Phone Number: (978) 250-5228

Fax Number: (978) 250-2416

Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed): Department of Public Works, 9 Alpha Rd., Chelmsford, MA 01824

Eligibility Determination

Endangered Species Act (ESA) Determination Complete? Yes

Eligibility Criteria (check all that apply): ☐ A ☐ B ☒ C

National Historic Preservation Act (NHPA) Determination Complete? Yes

Eligibility Criteria (check all that apply): ☒ A ☐ B ☐ C

☑ Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? *(Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)* 100%

If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY): 03/01/15

Web address where MS4 map is published: https://chelmsfordma.mapgeo.io

If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? *(Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)* Yes

Effective Date or Estimated Date of Adoption (MM/DD/YY): 04/26/10

Construction/Erosion and Sediment Control (ESC) Authority Adopted? *(Part II,III,IV or V, Subpart B.4.(a.) of 2003 permit)* Yes

Effective Date or Estimated Date of Adoption (MM/DD/YY): 10/13/08

Post- Construction Stormwater Management Adopted? *(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)* Yes

Effective Date or Estimated Date of Adoption (MM/DD/YY): 10/15/12

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part II: Summary of Receiving Waters

Please list the waterbody segments to which your MS4 discharges. For each waterbody segment, please report the number of outfalls discharging into it and, if applicable, any impairments.

Massachusetts list of impaired waters: *Massachusetts 2014 List of Impaired Waters*- http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf

Check off relevant pollutants for discharges to impaired waterbodies (see above 303(d) lists) without an approved TMDL in accordance with part 2.2.2.a of the permit. List any other pollutants in the last column, if applicable.

Waterbody segment that receives flow from the MS4	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Merrimack River	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	Mercury in fish tissue, Fecal Coliform
Concord River	2	☐	☐	☐	☐	☐	☒	☐	☐	☐	Fecal coliform Eurasian Water Milfoil, Myriophyllum spicatum Non-Native aquatic plants Mercury in fish tissue
Freeman Lake/Newfield Pond	22	☐	☐	☒	☐	☐	☐	☐	☐	☐	Eurasian Water Milfoil, Myriophyllum spicatum Non-Native aquatic plants Mercury in fish tissue
River Meadow Brook	62	☐	☐	☐	☐	☐	☐	☐	☐	☐	Debris/Floatables/Trash Non-Native Aquatic Plants Fecal Coliform
Black Brook	55	☐	☐	☐	☐	☐	☐	☒	☒	☐	Debris/Floatables/Trash Physical substrate habitat alterations Aquatic Macroinvertebrate Bioassessments Fishes Bioassessments Sedimentation/Siltation
Deep Brook	14	☐	☐	☐	☐	☐	☐	☐	☒	☐	Habitat Assessment (Streams) Aquatic Macroinvertebrate Bioassessments Fishes Bioassessments Sedimentation/Siltation
Stony Brook	29	☐	☐	☐	☐	☐	☐	☐	☒	☐	Aquatic Macroinvertebrate Bioassessments
Heart Pond	10	☐	☐	☐	☐	☐	☐	☐	☒	☐	
Beaver Brook	117	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Putnam Brook	26	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Farley Brook	35	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Hales Brook	55	☐	☐	☐	☐	☐	☐	☐	☐	☐	

Crooked Spring Brook	33	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Russell Millpond	45	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Swain Pond	1	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Elm Street Pond	26	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Cold Spring Brook	3	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Golden Cove Brook	7	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Waterbody segment that receives flow from the MS4	**Number of outfalls into receiving water segment**	**Chloride**	**Chlorophyll-a**	**Dissolved Oxygen/ DO Saturation**	**Nitrogen**	**Oil & Grease/ PAH**	**Phosphorus**	**Solids/ TSS/ Turbidity**	**E. coli**	**Enterococcus**	**Other pollutant(s) causing impairments**
Unnamed Wetland Lowell	1	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Westford- Gilson Brook	6	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Scotty Hollow Brook	5	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Ditch North of Rt. 495	10	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Ditch South of Rt. 495	8	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Low point near Bridge Street	6	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Lowell Middlesex Canal	5	☐	☐	☐	☐	☐	☐	☐	☐	☐	
		☐	☐	☐	☐	☐	☐	☐	☐	☐	
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Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	**BMP Description**	**Targeted Audience**	**Responsible Department/Parties** (enter your own text to override the drop down menu)	**Measurable Goal**	**Beginning Year of BMP Imple-mentation**
Shared Social Media Post	Grass Clippings/Pet Waste/Leaf collection	Residents	Engineering	Followers, Views, Likes, Comments, Shares	2018
Shared Social Media Post	Grass Clippings/Pet Waste/Leaf collection	Businesses, Institutions and Commercial Facilities	Engineering	Followers, Views, Likes, Comments, Shares	2018
Brochures/Pamphlets	Sediment Control	Developers (construction)	Engineering	Number Distributed	2018
Brochures/Pamphlets	Waste Management	Industrial Facilities	Engineering	Number Distributed	2019
Newspaper Articles/Press Releases	Grass Clippings/Pet Waste/Leaf collection	Residents	Engineering	Estimated Audience	2019
Newspaper Articles/Press Releases	Grass Clippings/Pet Waste/Leaf collection	Businesses, Institutions and Commercial Facilities	Engineering	Estimated Audience	2019
Brochures/Pamphlets	LID	Developers (construction)	Engineering	Number Distributed	2020
Brochures/Pamphlets	Onsite Stormwater Management	Industrial Facilities	Engineering	Number Distributed	2021
School Curricula/Programs	Grass Clippings/Pet Waste/Leaf collection	Residents	Engineering	Number of Students in Attendance	2020
Local Public Service Announcements	Grass Clippings/Pet Waste/Leaf collection	Businesses, Institutions and Commercial Facilit	Engineering	Estimated Audience	2020
Local Public Service Announcements	Grass Clippings/Pet Waste/Leaf collection	Residents	Engineering	Estimated Audience	2021

Newspaper Articles/Press Releases	Grass Clippings/Pet Waste/Leaf collection	Businesses, Institutions and Commercial Facilit	Engineering	Estimated Audience	2021
Special Events/Festivals/Fairs	Grass Clippings/Pet Waste/Leaf collection	Residents	Engineering	Estimated Audience	2022
Special Events/Festivals/Fairs	Grass Clippings/Pet Waste/Leaf collection	Businesses, Institutions and Commercial Facilit	Engineering	Estimated Audience	2022

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple-mentation
Public Review	SWMP Review	Engineering	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2018
Public Participation	Stormwater Website	Engineering	Allow public to comment on stormwater management plan annually	2018
Public Participation	Catch Basin Stenciling/Markers	Engineering	Number of basins marked	2019
Public Participation	Cleanups - Roadside/General	DPW	Number of volunteers	2018
Public Participation	Household haz. waste/used oil collection	Health Department/DPW	Annual Hazardous Waste Collection Day	2018

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	**BMP Description**	**Responsible Department/Parties** (enter your own text to override the drop down menu)	**Measurable Goal** (all text can be overwritten)	**Beginning Year of BMP Imple-mentation**
SSO inventory	Develop SSO inventory in accordance of permit conditions	DPW	Complete within 1 year of effective date of permit	2019
Storm sewer system map	Create map and update during IDDE program completion	Engineering	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2018
Written IDDE program	Create written IDDE program	Engineering	Complete within 1 year of the effective date of permit and update as required	2018
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW	Complete 10 years after effective date of permit	2019
Employee training	Train employees on IDDE implementation	DPW	Train annually	2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	DPW	Complete 3 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	DPW	Complete 10 years after effective date of permit	2019
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW	Complete ongoing outfall screening upon completion of IDDE program	2027

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization (enter your own text to override the drop down menu or entered text)	**BMP Description**	**Responsible Department/Parties** (enter your own text to override the drop down menu)	**Measurable Goal** (all text can be overwritten)	**Beginning Year of BMP Imple-mentation**
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Engineering	Complete within 1 year of the effective date of permit	2019
Site plan review	Complete written procedures of site plan review and begin implementation	Engineering	Complete within 1 year of the effective date of permit	2018
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	DPW/Conservation	Complete within 1 year of the effective date of permit	2018
Waste Control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	Engineering	Complete within 1 year of the effective date of permit	2018
Construction Ordinance/Bylaw	Revise the current ordinances to comply with the new requirements of the 2016 permit	Engineering	Complete within 2 years of the effective date of permit	2019
Construction Standard ESC Specifications and Detailed Drawings	Create standard details	Engineering	Complete within 5 years of the effective date of permit	2020

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

BMP Categorization (enter your own text to override the drop down menu or entered text)	**BMP Description**	**Responsible Department/Parties** (enter your own text to override the drop down menu)	**Measurable Goal** (all text can be overwritten)	**Beginning Year of BMP Imple-mentation**
As-built plans for on-site stormwater control	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	Building Department/Planning Department/ Conservation / DPW/Engineering	Require submission of as-built plans for completed projects	2018
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	DPW	Complete 4 years after effective date of permit and report annually on retrofitted properties	2020
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	Planning/zoning Department	Complete 4 years after effective date of permit and implement recommendations of report	2019
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	Planning/zoning Department	Complete 4 years after effective date of permit and implement recommendations of report	2021

Ensure any stormwater controls or management practices for new development and redevelopment meet the retention or treatment requirements of the permit and all applicable requirements of the Massachusetts Stormwater Handbook	Adoption, amendment, or modification of a regulatory mechanism to meet permit requirements	Engineering/Planning/Zoning/Conservation/Building	Complete 2 years after effective date of permit	2019

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	**BMP Description**	**Responsible Department/Parties** (enter your own text to override the drop down menu)	**Measurable Goal** (all text can be overwritten)	**Beginning Year of BMP Imple-mentation**
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW	Complete and implement 2 years after effective date of permit	2019
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW	Complete 2 years after effective date of permit and implement annually	2019
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	DPW	Complete 2 years after effective date of permit	2019
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	DPW	Complete and implement 2 years after effective date of permit	2019
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2019
Street sweeping program	Sweep all streets and permitee-owned parking lots in accordance with permit conditions	DPW	Sweep all streets and permitee-owned parking lots twice per year	2018
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	DPW	Implement salt use optimization during deicing season	2019

Inspections and maitenance of stormwater treatment structures	Establish and implement inspection and maitenance procedures and frequencies	DPW/Engineering/Conservation	Inspect and maintain treatment structures at least annually	2020
Development of a Master Plan	Develop a Stormwater Master Plan	Engineering	Implement improvements based on the Master Plan	2019

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

Applicable TMDL	Action Description	Responsible Department/Parties (enter your own text to override the drop down menu)

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

Pollutant	Waterbody ID(s)	Action Description	Responsible Department/Parties (enter your own text to override the drop down menu)
Phosphorus	Concord River	Adhere to requirements in part II of Appendix H	DPW/Engineering/Conservation
E. Coli	Black Brook	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
E. Coli	Deep Brook	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
E. Coli	Heart Pond	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
E. Coli	Stony Brook	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
Turbidity	Black Brook	Adhere to requirements in part V of Appendix H	DPW/Engineering/Conservation
Fecal Coliform	River Meadow Brook	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
Fecal Coliform	Merrimack River	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation
Fecal Coliform	Concord River	Adhere to requirements in part III of Appendix H	DPW/Engineering/Conservation

Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary.
Also, provide any additional information about your MS4 program below.

The MS4 has determined that all planned BMPs will have no effect on the Northern long-eared bat.
The MS4 agrees that if during the term of the permit, if the MS4 plans any structural BMPs not identified in this NOI, the MS4 will consult with US Fish and Wildlife as appropriate.
Fish and Wildlife PDF attached.

IPaC resource list

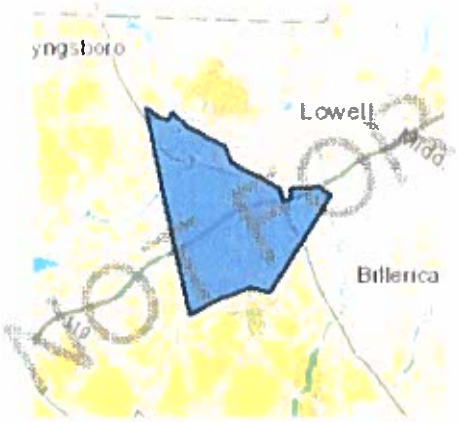
This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Middlesex County, Massachusetts



Local office

New England Ecological Services Field Office

(603) 223-2541
(603) 223-0104

70 Commercial Street, Suite 300
Concord, NH 03301-5094

http://www.fws.gov/newengland

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Northern Long-eared Bat Myotis septentrionalis No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird

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species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31
Black-billed Cuckoo Coccyzus erythropthalmus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink Dolichonyx oryzivorus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Canada Warbler Cardellina canadensis This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Aug 10
Eastern Whip-poor-will Antrostomus vociferus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20

Evening Grosbeak Coccothraustes vespertinus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Prairie Warbler Dendroica discolor This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Red-headed Woodpecker Melanerpes erythrocephalus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird Euphagus carolinus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Semipalmated Sandpiper Calidris pusilla This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Snowy Owl Bubo scandiacus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Wood Thrush Hylocichla mustelina This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

DRAFT FOR CONSULTATION

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the E-bird Explore Data Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

□o□ do I □no□ if a bird is breeding□□ intering□migrating or present year□round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the □irgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - □ulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

□etails about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and □se of □our Migratory □ird □eport

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ □What does IPaC use to generate the migratory birds potentially occurring in my specified location□ Please be aware this report provides the □probability of presence□of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the □no data□indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ □Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds□at the bottom of your migratory bird trust resources page.

Facilities

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

The area of this project is too large for IPaC to load all NWI wetlands in the area. The list below may be incomplete. Please contact the local U.S. Fish and Wildlife Service office or visit the NWI map for a full list.

NOT FOR CONSULTATION

FRESHWATER EMERGENT WETLAND

- PEM1E
- PEM1C
- PEM1/FO5Fb
- PEM1Ex
- PEM1/SS1E
- PEM1Ed
- PEM1/SS1Eh
- PEM1/FO5Eh
- PEM1A
- PEM1F
- PEM1Eh
- PEM1/UBF
- PEM1/5C
- PEM1Fh
- PEM1Ch
- PEM1Cd
- PEM1/5E
- PEM1Cx

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1E
- PSS1E
- PFO1Ed
- PFO1/4E
- PFO1C
- PFO1/4Ed
- PFO1/SS1E
- PFO1A
- PFO1Eh
- PFO1Ad
- PSS1C
- PSS1Eh
- PFO1/4C
- PSS1/EM1C
- PFO4E
- PFO5Fh
- PFO1Cd
- PFO1Ch
- PSS1F
- PSS1/FO1E
- PFO1/SS1Eh
- PFO1F
- PFO1/4A
- PSS1Ch
- PFO1/SS1C
- PSS1/FO1C
- PFO1/EM1Eh

NOT FOR CONSULTATION

PFO4A
PSS1Ad
PFO1Ex
PFO4/1E
PFO1B
PFO1/SS1A

FRESHWATER POND

PUBHh
PUBHx
PUBFx
PUBFh
PUB/EM1Fh
PUB/FO5Fh
PUBF
PUBH
PUSAx

LAKE

L1UBHh
L1UBH

RIVERINE

R2UBH
R2UBHx
R5UBH
R4SBC
R3UBH
R4SBCx

A full description for each wetland code can be found at the National Wetlands Inventory website

NOT FOR CONSULTATION

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged

aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Notice of Intent (NOI) for coverage under Small MS4 General Permit

Part V: Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:	Glenn Diggs	Title:	Chairman, Board of Selectmen
Signature:		Date:	09/24/18

(To be signed according to Appendix B, Subparagraph B(1), Standard Conditions)

Note: When prompted during signing, save the document under a new file name