

## Part I: General Conditions

### General Information

Name of Municipality or Organization:  State:

EPA NPDES Permit Number (if applicable):

### Primary MS4 Program Manager Contact Information

Name:  Title:

Street Address Line 1:

Street Address Line 2:

City:  State:  Zip Code:

Email:  Phone Number:

Fax Number:

### Other Information

Stormwater Management Program (SWMP) Location:

### Eligibility Determination

Endangered Species Act (ESA) Determination Complete?

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

National Historic Preservation Act (NHPA) Determination Complete?

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

Web address where MS4 map is published:

*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?  Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted?  Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted?  Effective Date or Estimated Date of Adoption (MM/DD/YY):

## Part II: Summary of Receiving Waters

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

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Click to lengthen table

## 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

<b>BMP Media/Category</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Targeted Audience</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b>	<b>Beginning Year of BMP Implementation</b>
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, Pet Waste Outreach Program and/or other means	Residents	Public Works Department	Town to distribute first educational message to this audience over permit term	2019
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Businesses, Institutions and Commercial Facilities	Public Works Department	Town to distribute first educational message to this audience over permit term	2019
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Developers (construction)	Public Works Department	Town to distribute first educational message to this audience over permit term	2020
Brochures/Pamphlets	Mailing, Website, event, phone contact, site visit, and/or other means	Industrial Facilities	Public Works Department	Town to distribute first educational message to this audience over permit term	2020
School Curricula/Programs	Mailing, Website, event, phone contact, site visit, and/or other means	Residents	Public Works Department	Town to distribute second educational message to this audience over permit term	2021



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### Part III: Stormwater Management Program Summary (continued)

[illegible]



## 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)

<b>BMP Categorization</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
SSO inventory	Develop SSO inventory in accordance of permit conditions	Public Works Department	Complete within 1 year of effective date of permit	2018
Storm sewer system map	Create map and update during IDDE program completion	Public Works Department	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2019
Written IDDE program	Create written IDDE program	Public Works Department	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	Public Works Department	Complete 10 years after effective date of permit	2020
Employee training	Train employees on IDDE implementation	Public Works Department	Train annually	2018
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Public Works Department	Complete 3 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Public Works Department	Complete 10 years after effective date of permit	2020
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	Public Works Department	Complete ongoing outfall screening upon completion of IDDE program	2022



## 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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Public Works Department	Complete within 1 year of the effective date of permit	2018
Site plan review	Complete written procedures of site plan review and begin implementation	Public Works Department	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	Public Works Department	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	Public Works Department	Complete within 1 year of the effective date of permit	2018



## 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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
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	Public Works Department	Require submission of as-built plans for completed projects	2019
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	Public Works Department	Complete 4 years after effective date of permit and report annually on retrofitted properties	2021
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	Public Works Department	Complete 4 years after effective date of permit and implement recommendations of report	2021



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## 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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
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	Public Works Department	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	Public Works Department	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	Public Works Department	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	Public Works Department	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	Public Works Department	Clean catch basins on established schedule and continue to report number of catch basins cleaned and volume of material moved annually	2018
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	Public Works Department	Sweep all streets and permittee-owned parking lots once per year in the spring	2018

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### Part III: Stormwater Management Program Summary (continued)

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.**

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### Part III: Stormwater Management Program Summary (continued)

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.**

[illegible]


**Part IV: Notes and additional information**

Use the space below to indicate the part(s) of 2.2.1 and 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.

1) Where a "beginning year" is requested we have listed the first year of the applicable fiscal year. Fiscal years run from July 1 to June 30 and correspond to permit years (i.e. permit year 1 is 2018).

2) For the purposes of NOI outfall mapping, "receiving waters" are considered as waterbodies and wetlands delineated by the USGS 25k hydrography data layers, which consists of hydrographic (water-related) features including surface waters (rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters and vernal pools). The number of outfalls into a receiving water segment listed in Part II: Summary of Receiving Waters include those discharging within a 100' of a wetland or 200' of a surface water. All other outfalls are considered to be upland of receiving waters and are included in the map for use by the Town only.

3) According to Appendix C - Endangered Species Act Eligibility Guidance and the IPaC report, the project meets USFWS Criteria B. A letter requesting concurrence with this and the determination of "may affect, not likely to adversely affect" for the Town of Fairhaven was submitted to USFWS on August 23, 2018. A letter of concurrence from USFWS is expected and will be submitted upon receipt to complete the ESA determination.



## 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:

Title:

Signature:

Date:

*[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]*

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

## NOI Submission

Please submit the form electronically via email using the "Submit by Email" button below or send in a CD with your completed NOI. You may also print and submit via mail using the address below if you choose not to submit electronically. The outfall map required in Part I of the NOI (if applicable) can be submitted electronically as an email attachment OR as a paper copy.

***Permittees that choose to submit their NOI electronically by email or by mailing a CD with the completed NOI form to EPA, will be able to download a partially filled Year 1 Annual Report at a later date from EPA.***

Submit by email using this button. Or, send an email with attachments to: [stormwater.reports@epa.gov](mailto:stormwater.reports@epa.gov)

Save NOI for your records

### EPA Submittal Address:

United States Environmental Protection Agency  
5 Post Office Square - Suite 100  
Mail Code - OEP06-1  
Boston, Massachusetts 02109-3912  
ATTN: Newton Tedder

### State Submittal Address:

Massachusetts Department of Environmental Protection  
One Winter Street - 5th Floor  
Boston, MA 02108  
ATTN: Fred Civian

*Town of Fairhaven  
Board of Public Works*

*5 Arsene Street  
Fairhaven, Massachusetts 02719*

*TEL. 508-979-4030*

*FAX. 508-979-4086*

*bpw@fairhaven-ma.gov*



September 27, 2018

United States Environmental Protection Agency  
5 Post Office Square - Suite 100  
Mail Code - OEP06-1  
Boston, Massachusetts 02109-3912  
ATTN: Newton Tedder

Re: MS4 NOI Fairhaven, MA

Dear Mr. Tedder:

Enclosed please find the MS4 NOI for the Town of Fairhaven, MA.

The submittal is complete except for the signatory page. As Fairhaven is a rare community, where there are two elected bodies who oversee portions of Public Works activities, this document needs to be signed by both the Chairman of the Selectman as well as the Chairman of the Board of Public Works.

The signing of this document, by both elected Boards, is scheduled for October 1, 2018.

So as to not miss the required deadline of submittal, we are forwarding the MS4 NOI and then will submit the signatory page a day or two following.

Should you have any questions, please don't hesitate to contact me at 508-979-4031.

Sincerely,

Vincent D. Furtado  
Public Works Superintendent

Fairhaven, MA

# **MS4 NOI**

*September 2018*

## **NOTICE OF INTENT FOR COVERAGE UNDER SMALL MS4 GENERAL PERMIT**

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315 Norwood Park South  
2nd Floor  
Norwood, Massachusetts 02062  
781.255.1982  
[www.BETA-Inc.com](http://www.BETA-Inc.com)

# **MS4 NOI**

Fairhaven, MA

## **NOTICE OF INTENT FOR COVERAGE UNDER SMALL MS4 GENERAL PERMIT**

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Prepared by: BETA GROUP, INC.  
Prepared for: Town of Fairhaven

September 2018

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- II. Attachment 1: Copy of Endangered Species Act Determination Cover Letter
- III. Attachment 2: MS4 Map



August 23, 2018

U.S. Fish and Wildlife Service  
New England Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301

**Re: Project Review Request, NPDES MS4 Submittal, Fairhaven, Massachusetts, 05E1NE00-2018-SLI-2761**

We have reviewed the referenced project using the Environmental Protection Agency's (EPA) project review process for the Town of Fairhaven Municipal Separate Storm Sewer System (MS4) and have followed all guidance and instructions in completing the review. We completed our review on August 2, 2018 and are submitting our project package in accordance with the instructions for further review. The U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) species list indicated these species may be present in the project area: Northern Long-eared Bat, Roseate Tern, and Red Knot. We are submitting this letter as a non-Federal representative of the EPA pursuant to the requirements of the EPA's process for NPDES/MS4 permits.

Our proposed action consists of: public education and outreach, public involvement and participation, investigation for illicit discharge detection and elimination programs, outfall inspection and monitoring, procedures and regulations for stormwater runoff control, good housekeeping and pollution prevention for municipal facilities and MS4 infrastructure operations and maintenance such as cleaning catch basins and drainage pipes and street sweeping. There are no new structural BMPs proposed at this time and any new BMP construction will be evaluated for effect on endangered or threatened species at the time it is proposed.

The location action area is identified on the enclosed map *Town of Fairhaven, MA NPDES MS4 Submittal "Biological Evaluation" Appendix B -- MS4 Area Map*.

Permit implementation will begin in the fall of 2018 and the permit has an expiration date of June 30, 2023. This is a request for review by the Service pursuant to section 7 of the Endangered Species Act. We determined that the project may affect, but is not likely to adversely affect the above listed species, because:

- No field work or alteration of any potential habitat is included in activities covered under this permit
- No new construction is proposed under this permit
- Operations and maintenance work covered by this permit would only affect previously disturbed primarily urbanized areas, where the chance of encountering any of the subject species is discountable
- All stormwater discharges are pre-existing and previously permitted by the EPA

- Although discharges from the project may reach the environment used by these species, the project implements BMPs to reduce pollutants to the extent the discharges are not known to have measureable impacts on these species, their habitat, or the food they eat.

The enclosed project package provides the information about the species and/or critical habitat considered in our review, and we identified our determinations for the resources that may be affected by the project. We request you concur with our determination that the project may affect, but is not likely to adversely affect the species described above.

For additional information, please contact Melissa Recos at the address listed below, by phone at 781-255-1982, or [mrecos@beta-inc.com](mailto:mrecos@beta-inc.com).

Very truly yours,  
BETA Group, Inc.



Melissa Recos, PE

BETA Group, Inc.  
315 Norwood Park South, 2<sup>nd</sup> Floor  
Norwood, MA 02062

cc: Town of Fairhaven  
Attn: Vincent Furtado, Public Works Superintendent  
5 Arsene Street  
Fairhaven, MA 02719

**Enclosures:**

- 1) Town of Fairhaven, MA NPDES MS4 Submittal Biological Evaluation
  - a. Appendix A – IpaC Report
  - b. Appendix B – MS4 Area Map



# Town of Fairhaven, Massachusetts

## MS4 Outfall Map

