

Notice of Intent (NOI) for coverage under Small MS4 General Permit Page 1 of 18

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 (web address or physical location, if already completed):

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? <i>(Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)</i>	<input type="text" value="100%"/> If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY): <input type="text"/>
Web address where MS4 map is published: <i>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)</i>	<input type="text" value="Outfall Maps Attached"/>
Regulatory Authorities (if covered under the 2003 permit)	
Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? <i>(Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)</i>	<input type="text" value="Yes"/> Effective Date or Estimated Date of Adoption (MM/DD/YY): <input type="text" value="04/30/09"/>
Construction/Erosion and Sediment Control (ESC) Authority Adopted? <i>(Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)</i>	<input type="text" value="Yes"/> Effective Date or Estimated Date of Adoption (MM/DD/YY): <input type="text" value="04/30/09"/>
Post- Construction Stormwater Management Adopted? <i>(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)</i>	<input type="text" value="Yes"/> Effective Date or Estimated Date of Adoption (MM/DD/YY): <input type="text" value="04/30/09"/>

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](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	Pollutants									Other pollutant(s) causing impairments
		Chloride	Chlorophyll-a	Dissolved Oxygen/DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	
Malden River (MA71-05)	23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chlordane, DDT and PCB in fish, Fecal Coliform, Foam/Flocs/Scum/Oil Slicks, pH,
Lower Spot Pond Brook Channel	14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lower Spot Pond Brook Culvert	41	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fellsmere Pond	8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
West End/Edgeworth Brook Culvert	33	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Malden/Medford Town Line Brook Culvert	18	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Little Creek	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Town Line Brook Channel (MA93-51-Unnamed Tributary)	25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fecal Coliform (EPA TMDL No. 50123)
Town Line Brook Culvert	15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Linden Brook Culvert	36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Forestdale Cemetery Culvert	6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Saugus Branch Brook Culvert	29	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

BMP Media/Category <small>(enter your own text to override the drop down menu)</small>	BMP Description	Targeted Audience	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>	Measurable Goal	Beginning Year of BMP Implementation
Brochures/Pamphlets	Distribute Stormwater Pollution Prevention Guide	Residents	Engineering /DPW	Complete and assess effectiveness within 1 year of the effective date of permit	2018
Brochures/Pamphlets	Distribute Construction Stormwater Guidance	Developers (construction)	Permits, Inspections and Planning Services Department	Complete and assess effectiveness within 1 year of the effective date of permit	2018
Brochures/Pamphlets	Distribute Pollution Prevention Guide for Businesses	Businesses, Institutions and Commercial Facilities	Engineering	Complete and assess effectiveness during 2nd year of the permit	2019
Brochures/Pamphlets	Distribute Stormwater Pollution Prevention Guide for Industrial Properties	Industrial Facilities	Engineering	Complete and assess effectiveness during 2nd year of the permit	2019
Brochures/Pamphlets	Distribute Stormwater Pollution Education on Lawn Fertilizing	Residents	Engineering/DPW	Complete and assess effectiveness during 3rd year of the permit	2020
Brochures/Pamphlets	Distribute Builders Guide to Low Impact Development	Developers (construction)	Permits, Inspections and Planning Services Department	Complete and assess effectiveness during 3rd year of the permit	2020

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 Implementation
Sanitary Sewer Overflow (SSO) inventory	Update SSO inventory in accordance with permit conditions	DPW /Department of Water Utilities	Complete within 1 year of effective date of permit and update annually	2018
Storm Sewer System Map	Update system map	Engineering	Complete Phase I map update within 2 years of effective date of permit and complete Phase II map update for all outfalls within 10 years after effective date of permit	2018
Update Written IDDE Program Plan	Update existing IDDE Program Plan	Engineering	Complete within 1 year of the effective date of permit and update as required	2018
IDDE Program - Outfall/Interconnection Inventory & Ranking	Update outfall inventory and ranking	Engineering/DPW	Complete initial outfall/interconnection inventory and ranking within 1 year of effective date of permit and complete follow up ranking by year 3	2018
IDDE Program - Dry Weather Screening	Conduct dry weather outfall/interconnection screening	Engineering/DPW	Complete within 3 years after effective date of permit	2019
IDDE Program- Prepare Catchment Investigation Plan	Prepare written procedure to systematically investigate each outfall catchment area	Engineering/DPW	Complete within 18 months of effective permit date	2019
IDDE Program- Problem Outfall Catchments	Investigation of Problem Outfall catchment areas	DPW /Engineering	Begin within 2 years and complete within 7 years of permit effective date	2020
IDDE Program- High/Low Priority Outfall Catchments	Investigation of High/ Low Priority Outfall catchment areas	DPW /Engineering	Complete within 10 years of permit effective date	2025

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 Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Engineering/Permits, Inspections and Planning Services 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	Engineering/Permits, Inspections and Planning Services 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	Engineering/Permits, Inspections and Planning Services 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	Permits, Inspections and Planning Services 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

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 Implementation
As-built plans for on-site stormwater control	Procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	Permits, Inspections and Planning Services Department	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	Engineering, Public Facilities Department	Complete 4 years after effective date of permit and report annually on retrofitted properties	2019
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	Engineering	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.	Permits, Inspections and Planning Services Department, Engineering	Complete 4 years after effective date of permit and implement recommendations of report	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 Implementation
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	Engineering, Public Facilities Department	Complete and implement 2 years after effective date of permit	2018
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	Public Facilities Department, Engineering, DPW	Complete 2 years after effective date of permit and implement annually	2018
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	Engineering, DPW	Complete 2 years after effective date of permit	2018
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	Engineering, DPW	Complete and implement 2 years after effective date of permit	2018
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	2018
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	DPW	Sweep all streets and permittee-owned parking lots once per year in the spring	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	2018

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.

NOI Attachments contained in transmittal email are as follows:

A. Malden NOI Attachment 1) An evaluation in support of ESA eligibility determination -Criterion C

A determination has been made that the stormwater discharges and discharge related activities will have "no affect" on any federally threatened or endangered listed species or designated critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service.

B. Maiden NOI Attachment 2) Certification of eligibility with respect to Historic Properties- Criterion A

The City of Malden's stormwater system is authorized by the previous permit, which established that the eligibility criteria for protection of historic properties had been met.

C. Malden NOI Attachment 3) Outfall location maps

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.

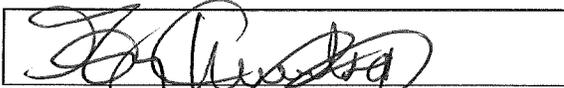
Name:

Gary Christenson

Title:

Mayor

Signature:



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

Date:

09/26/2018

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

MALDEN NOI – ATTACHMENT 1

EVALUATION IN SUPPORT OF ESA ELIGIBILITY DETERMINATION CRITERION C

The City of Malden requested and obtained from the United States Department of the Interior Fish and Wildlife Service (USFWS) a list of Threatened and Endangered Species that may occur in the area of the Malden stormwater system through their Information for Planning and Consultation (IPaC) website. A copy of the list provided on 2 July 2018 is included within Attachment A, which identified two Threatened Species, the Northern Long-eared Bat (*Myotis septentrionalis*) and the Red Knot (*Calidris camutus rufa*). It is noted that the Red Knot is not listed as a species of concern for applicants applying for permit coverage within Appendix C of the Endangered Species Guidance of the MA MS4 General Permit. Further, a review of the most recent (2/05/16) listing of Federally Listed Endangered and Threatened Species in Massachusetts available through FWS only identified the Northern Long-eared Bat as being present within Middlesex County (copy included in Attachment A).

On 6 July 2018 Mr. David Simmons at the New England Field Office of FWS in Concord New Hampshire was contacted by Nangle Consulting Associates, Inc. (NCA) on behalf of the City of Malden and the two (2) threatened species identified within Attachment were reviewed specifically for the City of Malden. With regard to the discrepancy between the County listing and IPaC mapping for the Red Knot, Mr. Simmons indicated that they were generated differently and that the mapping included species that were nearby to the selected area. After reviewing the habitat characteristics, Mr. Simmons indicated that stormwater discharges from the City of Malden would have no affect on the species identified and should be ignored or considered not present. Mr. Simmons indicated that it would be sufficient to reference the verbal consultation and include a copy of the USFWS January 8, 2018 “No Species Present” letter with our permit with respect to the Red Knot, a copy of which is included within Attachment A.

Pursuant to USEPA and USFWS guidance, based upon a review of available information, a determination has been made that the stormwater discharges and discharge related activities will have “no affect” on any federally threatened or endangered listed species or designated critical habitat under the jurisdiction of the USFWS.

ATTACHMENT A

ESA Criterion C Determination



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>

In Reply Refer To:

July 02, 2018

Consultation Code: 05E1NE00-2018-SLI-2259

Event Code: 05E1NE00-2018-E-05270

Project Name: City of Malden, MS4

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2018-SLI-2259

Event Code: 05E1NE00-2018-E-05270

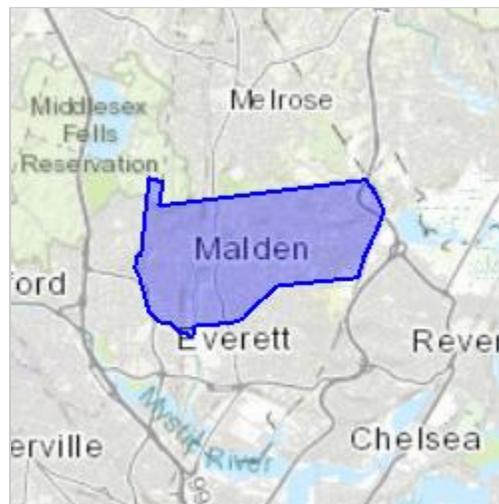
Project Name: City of Malden, MS4

Project Type: LAND - DRAINAGE

Project Description: Obtain General coverage for USEPA/MADEP MS4 storm water discharge permit for the City of Malden, Massachusetts

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.42860908113984N71.05777738240343W>



Counties: Middlesex, MA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [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.

Mammals

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

Birds

NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN
MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Barnstable	Piping Plover	Threatened	Coastal Beaches	All Towns
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	All Towns
	Northeastern beach tiger beetle	Threatened	Coastal Beaches	Chatham
	Sandplain gerardia	Endangered	Open areas with sandy soils.	Sandwich and Falmouth.
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Bourne (north of the Cape Cod Canal)
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Berkshire	Bog Turtle	Threatened	Wetlands	Egremont and Sheffield
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Bristol	Piping Plover	Threatened	Coastal Beaches	Fairhaven, Dartmouth, Westport
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Fairhaven, New Bedford, Dartmouth, Westport
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Taunton
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Dukes	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	All Towns
	Piping Plover	Threatened	Coastal Beaches	All Towns
	Northeastern beach tiger beetle	Threatened	Coastal Beaches	Aquinnah and Chilmark
	Sandplain gerardia	Endangered	Open areas with sandy soils.	West Tisbury
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES
IN MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Essex	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Gloucester, Essex and Manchester
	Piping Plover	Threatened	Coastal Beaches	Gloucester, Essex, Ipswich, Rowley, Revere, Newbury, Newburyport and Salisbury
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Franklin	Northeastern bulrush	Endangered	Wetlands	Montague, Warwick
	Dwarf wedgemussel	Endangered	Mill River	Whately
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Hampshire	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Hadley
	Puritan tiger beetle	Threatened	Sandy beaches along the Connecticut River	Northampton and Hadley
	Dwarf wedgemussel	Endangered	Rivers and Streams.	Hatfield, Amherst and Northampton
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Hampden	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Southwick
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Middlesex	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Groton
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Nantucket	Piping Plover	Threatened	Coastal Beaches	Nantucket
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Nantucket
	American burying beetle	Endangered	Upland grassy meadows	Nantucket
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES
IN MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Plymouth	Piping Plover	Threatened	Coastal Beaches	Scituate, Marshfield, Duxbury, Plymouth, Wareham and Mattapoisett
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Kingston, Middleborough, Carver, Plymouth, Bourne, Wareham, Halifax, and Pembroke
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Plymouth, Marion, Wareham, and Mattapoisett.
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Suffolk	Piping Plover	Threatened	Coastal Beaches	Revere, Winthrop
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Worcester	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Leominster
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

¹Migratory only, scattered along the coast in small numbers

-Eastern cougar and gray wolf are considered extirpated in Massachusetts.

-Endangered gray wolves are not known to be present in Massachusetts, but dispersing individuals from source populations in Canada may occur statewide.

-Critical habitat for the Northern Red-bellied Cooter is present in Plymouth County.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

January 8, 2018

To Whom It May Concern:

This project was reviewed for the presence of federally listed or proposed, threatened or endangered species or critical habitat per instructions provided on the U.S. Fish and Wildlife Service's New England Field Office website:

<http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm> (accessed January 2018)

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your cooperation. Please contact David Simmons of this office at 603-227-6425 if we can be of further assistance.

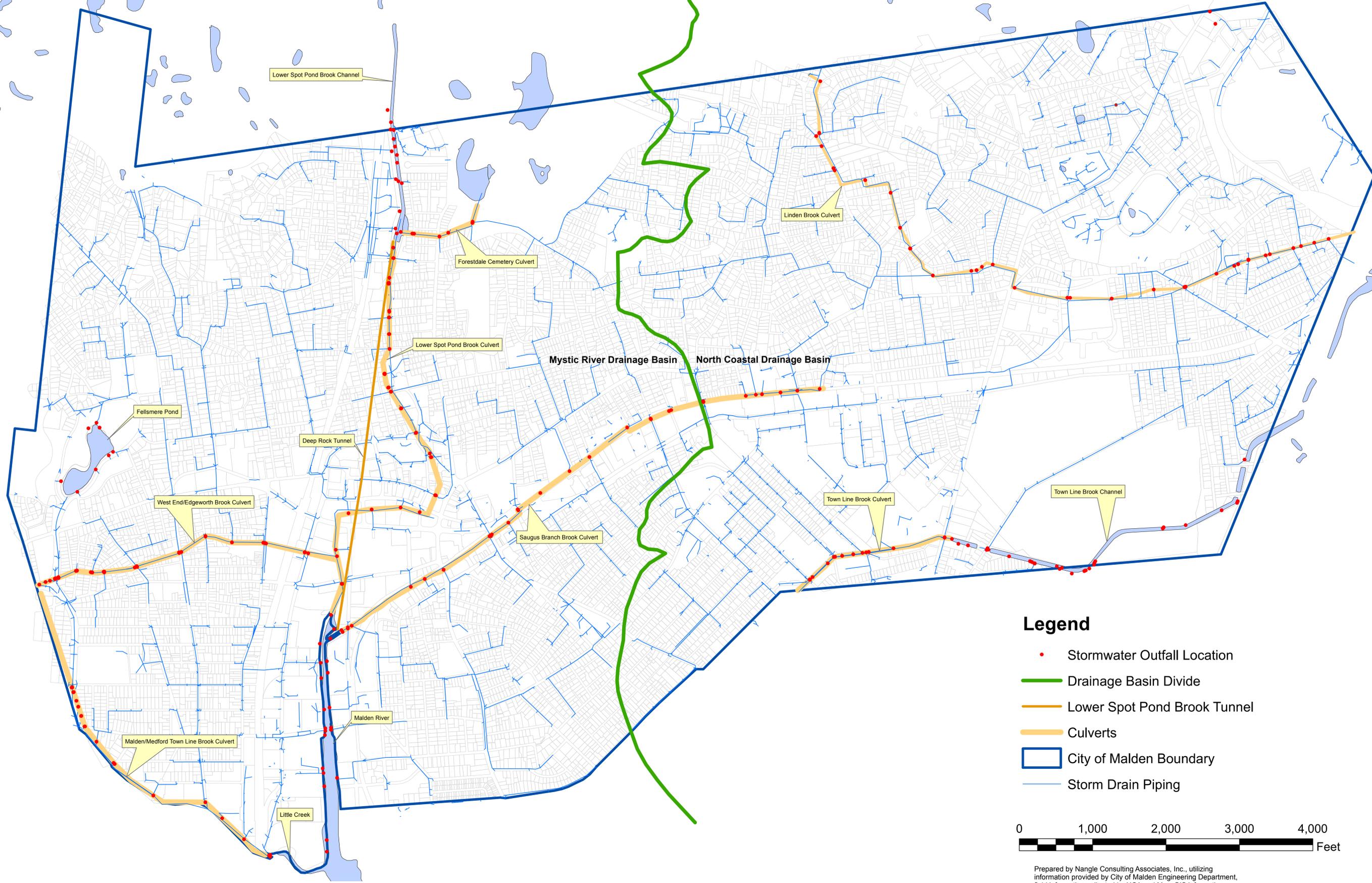
Sincerely yours,

Thomas R. Chapman
Supervisor
New England Field Office

MALDEN NOI – ATTACHMENT 2

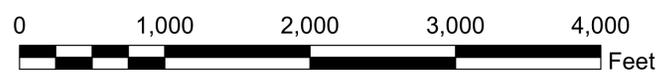
CERTIFICATION OF ELIGIBILITY WITH RESPECT TO HISTORIC PROPERTIES - CRITERON A

No new or alteration of any existing control measures to manage stormwater discharge are proposed by the City of Malden. The City of Malden's stormwater system is authorized by the previous permit, which established that the eligibility criteria for protection of historic properties had been met, and no activities involving any subsurface land disturbance under an acre are proposed. As such, the City does not need to contact the State Historic Commission as the issuance of the permit will have "no potential to cause effects" (36CFR 800.3(1)(1) and there are no further obligations under the Section 106 Regulations.



Legend

- Stormwater Outfall Location
- Drainage Basin Divide
- Lower Spot Pond Brook Tunnel
- Culverts
- City of Malden Boundary
- Storm Drain Piping

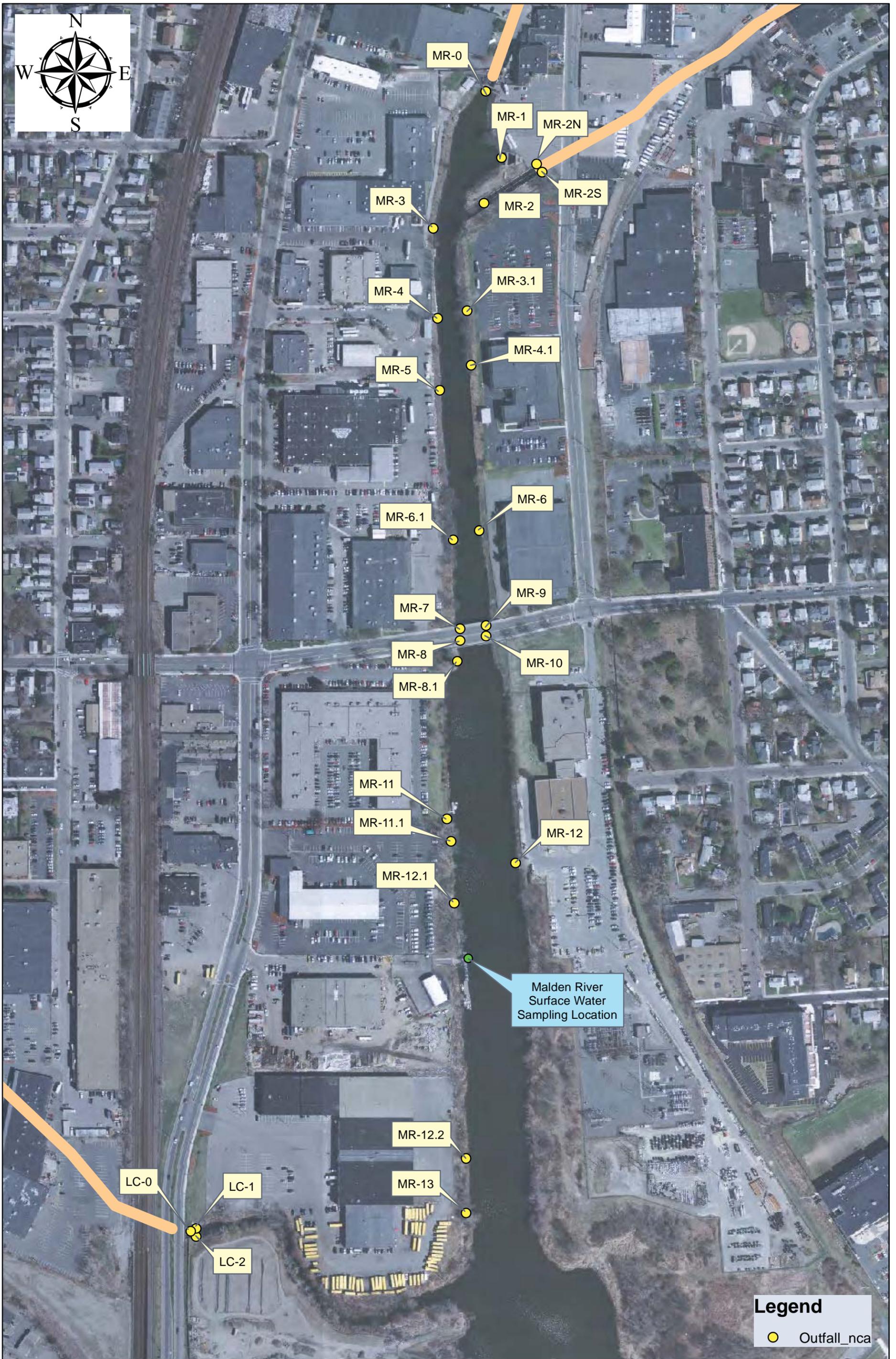


Prepared by Nangle Consulting Associates, Inc., utilizing information provided by City of Malden Engineering Department, field information collected by NCA and MassGIS information. Locations shown are approximate.

City of Malden Stormwater Outfall Location Map - September 2018

MALDEN, MASSACHUSETTS





Malden River Outfalls





Town Line Brook Outfalls



Lower Spot Pond Brook Outfalls

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 Implementation
Sanitary Sewer Overflow (SSO) inventory	Update SSO inventory in accordance with permit conditions	DPW /Department of Water Utilities	Complete within 1 year of effective date of permit and update annually	2018
Storm Sewer System Map	Update system map	Engineering	Complete Phase I map update within 2 years of effective date of permit and complete Phase II map update for all outfalls within 10 years after effective date of permit	2018
Update Written IDDE Program Plan	Update existing IDDE Program Plan	Engineering	Complete within 1 year of the effective date of permit and update as required	2018
IDDE Program - Outfall/Interconnection Inventory & Ranking	Update outfall inventory and ranking	Engineering/DPW	Complete initial outfall/interconnection inventory and ranking within 1 year of effective date of permit and complete follow up ranking by year 3	2018
IDDE Program - Dry Weather Screening	Conduct dry weather outfall/interconnection screening	Engineering/DPW	Complete within 3 years after effective date of permit	2019
IDDE Program- Prepare Catchment Investigation Plan	Prepare written procedure to systematically investigate each outfall catchment area	Engineering/DPW	Complete within 18 months of effective permit date	2019
IDDE Program- Problem Outfall Catchments	Investigation of Problem Outfall catchment areas	DPW /Engineering	Begin within 2 years and complete within 7 years of permit effective date	2020
IDDE Program- High/Low Priority Outfall Catchments	Investigation of High/Low Priority Outfall catchment areas	DPW /Engineering	Complete within 10 years of permit effective date	2025

