

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? (Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)	Yes	Effective Date or Estimated Date of Adoption (MM/DD/YY):	10/01/07
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):	05/02/06
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):	04/01/07

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:

[illegible]

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 Implementation
Videos	Utilize local public access channel to educate the public on the effects of car washing, swimming pool water, and possible methods of infiltration on stormwater runoff quality.	Residents	DPW	Utilize educational video provided by Massachusetts ThinkBlue. Have local television station track the number of times the video airs.	FY2019
Brochures/Pamphlets	Target groups likely to impact stormwater through lawn maintenance, building maintenance, de-icing materials being stored and used, and unswept parking lots when applicable using brochures and/or the Town's Message Board.	Businesses, Institutions and Commercial Facilities	DPW	Make owners and operators aware of the impact of their larger structure's footprint on stormwater control efforts. Track number of brochures distributed or messages posted to the Town's message board.	FY2020

Brochures/Pamphlets	Distribute educational materials about proper sediment and erosion control measures.	Developers (construction)	DPW/Planning	Make brochures available for distribution at the Town Hall/Planning Department, and make sure brochures are distributed to contractors/developers that work in Town. Track number of brochures that are distributed.	FY2020
Brochures/Pamphlets	Distribute educational materials about equipment inspection, waste disposal, dumpster maintenance, de-icing materials storage and use, and parking lot sweeping.	Industrial Facilities	DPW	Distribute brochure and maintain a list of all recipients. Verify that facilities are following Best Management Practices with annual visits as feasible.	FY2021
Web Page	Place information on the Town's website about Millbury's stormwater management program targeting residents and how they can impact stormwater and receiving water quality.	Residents	DPW	Modify Massachusetts ThinkBlue residential information to be applicable to Millbury. Track the number of interactions with the web page.	FY2021

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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- men- tation
Public Review	Provide for Public Review of SWMP and Annual Reports	DPW	Allow annual review of stormwater management plan and posting of stormwater management plan and annual reports on website and/or make them available at town hall.	FY2019
Public Participation	Yard Waste Collection	DPW	Continue to collect yard waste yearly and compost the material on site. Track the volume of material collected annually.	FY2019
Public Participation	Cleanups - Shoreline/Waterbody	DPW	Continue to participate in cleanup days held by the Lake Singletary Watershed Association.	FY2019
Public Participation	Cleanups - Roadside/General	DPW	The Town will continue to provide trucks and other materials to support clean up and disposal efforts by town volunteers.	FY2019
Public Participation	Household haz. waste/used oil collection	DPW	Continue participation in the Regional NEDT Household Hazardous Products Collection Center and continue to accept household hazardous wastes such as batteries, at the Town's transfer station twice annually.	FY2019

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
SSO inventory	Develop inventory of where SSOs have discharged in the last 5 years.	DPW	Complete within 1 year of effective date of permit and continue to update SSO inventory annually.	FY2019
Storm sewer system map	Update drainage map in accordance with permit conditions and update annually during IDDE program implementation.	DPW	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit. Report on progress in annual reports.	FY2019
Written IDDE program	Create written IDDE program to meet permit conditions.	DPW	Complete within 1 year of the effective date of permit and update as required.	FY2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions, including TV inspection, smoke testing and dye testing as needed to identify illicit connections.	DPW	Begin within two years of permit effective date, and complete 10 years after effective date of permit. Track annually the number of illicit connections that are identified and removed.	FY2020
Employee training	Train employees on IDDE program components and implementation.	DPW, Health Department	Provide training to municipal employees annually. Track the number of employees that receive training.	FY2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions.	DPW	Complete all dry weather screening and sampling within 3 years after effective date of permit. Track number of outfalls that are screened	FY2021

Conduct wet weather screening	Conduct wet weather screening and sampling at outfalls/interconnections in catchments where System Vulnerability Factors are present in accordance with permit conditions.	DPW	Complete all wet weather screening and sampling within 10 years of permit effective date. Track number of outfalls that are screened and sampled annually.	FY2022
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW	Complete ongoing outfall screening upon completion of IDDE program.	FY2029
Priority Ranking	Assess and rank the potential for all catchments to have illicit discharges. Identify catchments with the system vulnerability factors that will necessitate wet weather sampling.	DPW, Health Department	Complete within 1 year of the permit effective date.	FY2019
Follow-Up Ranking	Update catchment prioritization and ranking as dry weather screening information becomes available.	DPW	Complete within 3 years of the permit effective date.	FY2021
Catchment Investigation Procedures	Develop written catchment investigation procedures and incorporate into the IDDE Plan.	DPW	Complete within 18 months of the permit effective date.	FY2019

[illegible]

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	Section 13.15.100 of the Town's Municipal Code includes procedures for site inspections and enforcement. Review and update as needed to meet permit requirements.	Planning/zoning Department	Review and update regulations, as needed, within 1 year of the permit effective date.	FY2019
Site plan review	Develop written procedures for site plan review that meet permit requirements and begin implementation.	Planning	Complete within 1 year of the effective date of permit.	FY2019
Erosion and Sediment Control	The Town's Zoning Regulations, which include Site Plan Review, as well as their Subdivision Regulations, include requirements for sediment and erosion control at construction sites. Review and update regulations as needed to ensure that BMPs for sediment & erosion control are appropriate for conditions at the construction site.	Planning, Conservation Commission	Review and update regulations, as needed, within 1 year of the permit effective date.	FY2019

[illegible]

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	Review and update, as needed, Sections 13.15.060 and 13.15.080 of the Town's Municipal Code that governs Post-Construction Stormwater Management, which includes submission of as-built drawings and outlines operation and maintenance requirements, to meet the conditions of the permit.	Planning	Continue to require submission of as-built plans and long term O&M for completed projects, and update as need to meet permit requirements within 2 years of permit effective date.	FY2020
Target & rank properties for BMP retrofitting	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce frequency, volume, and pollutant loads associated with stormwater discharges, and update annually.	DPW, Planning	Complete 4 years after effective date of permit and report annually on retrofitted properties.	FY2022
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.	DPW, Planning	Complete 4 years after effective date of permit and implement recommendations of report, where feasible.	FY2022

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.	DPW, Planning	Complete 4 years after effective date of permit and implement recommendations of report, where feasible.	FY2022
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	Review, and update as needed, Chapter 13.15 of the Town's Municipal Code that governs Post-Construction Stormwater Management to meet the retention and treatment requirements of the permit. The Town's existing regulations do require compliance with the Stormwater Management Standards as outlined in Section 13.05.070 of the Town's municipal code.	DPW, Planning	Review existing Post-Construction Stormwater Management requirements, and update as needed within 2 years of the permit effective date.	201FY2021

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.	DPW	Complete and implement within 2 years of permit effective date.	FY2020
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory.	DPW	Complete within 2 years of permit effective date and update annually.	FY2020
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure.	DPW	Complete within 2 years of permit effective date.	FY2020
Stormwater Pollution Prevention Plan (SWPPP) Development, Inspections & Training	Create SWPPPs for waste handling facilities including the Millbury DPW, the Wastewater Treatment Facility, the Park Department and the Town's Transfer Station as needed.	DPW	Complete and implement within 2 years of permit effective date, and provide training annually thereafter. Track number of employees trained annually.	FY2020
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 removed annually.	FY2019

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. Sweep selected streets a second time in the fall to meet requirements specific to impaired waters. Track miles of roadway swept, or volume or mass of sediment removed.	FY2019
Road salt use optimization program	Establish and implement a program to minimize the use of road salt. Continue ongoing calibration of salt trucks.	DPW	Implement salt use optimization during deicing season. Continue ongoing calibration of salt trucks.	FY2019
Inspection and maintenance of stormwater treatment structures	Create an inventory of all municipally-owned BMPs and establish and implement inspection and maintenance procedures and frequencies.	DPW	Create inventory and inspect and maintain treatment structures at least annually.	FY2019
Employee Training - General Stormwater Topics	Send Public Works employees annually to training sessions sponsored by MassDOT, BayState Roads and other relevant vendors.	DPW	Continue to implement and track number of employees sent to training sessions.	FY2019
Catch Basin Cleaning Optimization	Develop and Implement a plan to optimize inspection, cleaning and maintenance of catch basins to ensure that permit conditions are met.	DPW	Complete within 2 years of the permit effective date	FY2020

[illegible]

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.**

[illegible]

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 drop-down 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.

Through consultation with the US Fish & Wildlife, it was determined that the only threatened species within Millbury is the northern long-eared bat. Actions currently proposed within this Notice of Intent will not adversely affect this species. As structural Best Management Practices are constructed in the future, the Town will consult with US Fish & Wildlife prior to construction activities.

The Town of Millbury has determined that it is not subject to the requirements for nitrogen removal under the Long Island Sound Watershed Nitrogen TMDL. The watershed only covers the southwest corner of the town, and includes approximately 53,000 square meters of forest. There is no infrastructure in this area, nor are there any outfalls nor discharge points of conveyance systems. Therefore, no drainage infrastructure is discharging to the Long Island Sound Watershed through the Thames River and therefore the TMDL does not apply. Furthermore this area of town is not located within the Town's regulated area.

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

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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:

David J. Marciello

Title:

Town Manager

Signature:



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

Date:

9/28/18

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

- Legend**
- Outfall
 - Culvert
 - Open Drain
 - Gravity Main
 - Hydrologic Connection
 - Marsh/Bog
 - Wooded marsh
 - Open Water
- Impairments Category**
- 2 - Attaining some uses; other uses not assessed
 - 5 - Impaired - TMDL required
 - 3 - No uses assessed
 - 4A - Impaired - TMDL is completed
 - 4C - Impairment not caused by a pollutant
 - 5 - Impaired - TMDL required

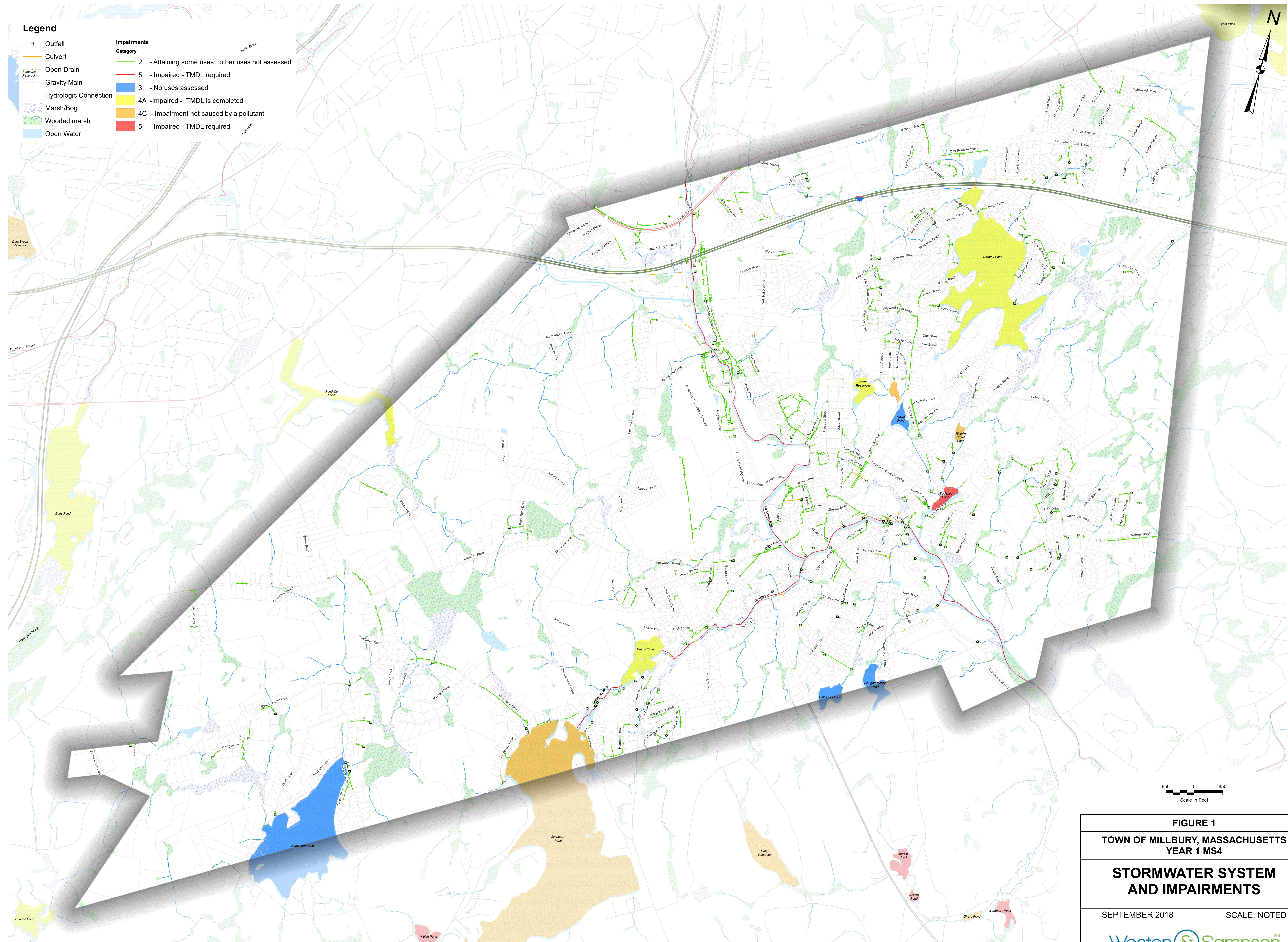


FIGURE 1
TOWN OF MILLBURY, MASSACHUSETTS
YEAR 1 MS4

STORMWATER SYSTEM
AND IMPAIRMENTS

SEPTEMBER 2018 SCALE: NOTED

Weston & SampsonSM



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:

August 16, 2018

Consultation Code: 05E1NE00-2018-SLI-2779

Event Code: 05E1NE00-2018-E-06508

Project Name: Millbury, Massachusetts MS4 Permit Compliance

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-2779

Event Code: 05E1NE00-2018-E-06508

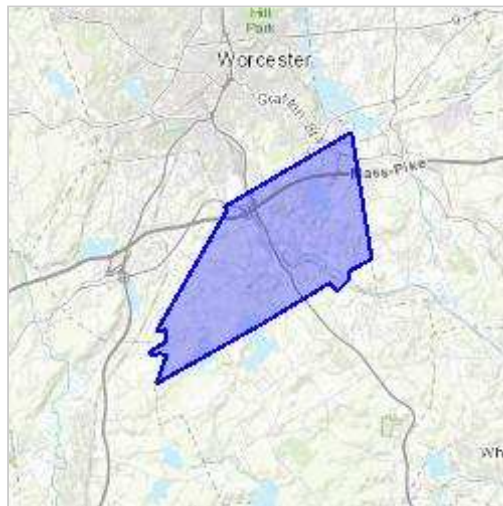
Project Name: Millbury, Massachusetts MS4 Permit Compliance

Project Type: LAND - MANAGEMENT PLANS

Project Description: Criterion C determination for the NOI for the 2016 small MS4 permit.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.19143659775621N71.7666584151288W>



Counties: Worcester, MA

Endangered Species Act Species

There is a total of 1 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

Critical habitats

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