Part I: General Conditions

General Information

Name of Municipality or Organization: Town of Swampscott	State: MA
EPA NPDES Permit Number (if applicable): MA0100552	
Primary MS4 Program Manager Contact Information	
Name: Gino A. Cresta, Jr. Title: Director o	f Public Works
Street Address Line 1: 22 Monument Avenue	
Street Address Line 2:	
City: Swampscott State:	MA Zip Code: 01907
Email: gcresta@town.swampscott.ma.us Phone Number: (7	/81) 596-8860
Fax Number: (781) 596-8828	
Other Information	
Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):	
Eligibility Determination	
Endangered Species Act (ESA) Determination Complete? No	Eligibility Criteria (check all that apply): 🛛 A 🔲 B 🔲 C
National Historic Preservation Act (NHPA) Determination Complete? No	Eligibility Criteria (check all that apply): A B C 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)	
	2003 requirements not met, enter an date of completion (MM/DD/YY):
Neb address where MS4 map is published:	
f 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): 05/04/15
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): 05/04/15
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): 05/04/15

Part II: Summary of Receiving Waters

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

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

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Nahant Bay	3										Fecal Coliform
Massachusetts Bay	4										
Stacey Brook	1										
Foster Pond											DDT

Part III: Stormwater Management Program Summary

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

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

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Imple- mentation
Local Public Service Announcements	Local cable access spots	General Public	DPW	Produce two 5- minute spots	2019
Presentations	Speakers	Middle/High school Students	DPW	Identify and present two school stormwater programs per year	2019
Brochures/Pamphlets	Distribute educational stormwater literature	General Public	DPW	Make handouts available at town hall and DPW building	2019

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

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	Public Notification	Director of Public Works	Posting of all appropriate meetings	2019
Public Participation	Household hazardous waste collection	Health Director	One collection per year	2019
Public Participation	Stencil catch basins that drain to sensitive areas	Director of Public Works	Stencil fifty (50) catch basins per year	2019
Public Participation	Seedlings for Arbor Day	Director of Public Works / Tree Warden	Ten (10) seedlings per year for two (2) years	2019

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Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
SSO inventory	Develop SSO inventory in accordance of permit conditions	Consultant	Complete within 1 year of effective date of permit	2019
Storm sewer system map	Create map and update during IDDE program completion; Map outfalls and receiving waters	Director of Public Works	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2021
Written IDDE program	Create written IDDE program	DPW Operations	Complete within 1 year of the effective date of permit and update as required	2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW Operations	Complete 10 years after effective date of permit	2028
Employee training	Train employees on IDDE implementation	DPW Operations	Train annually	2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Director of Public Works	Complete 3 years after effective date of permit; Two rounds of sampling in 2004	2021
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Director of Public Works	Complete 10 years after effective date of permit	2028
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW Construction	Complete ongoing outfall screening upon completion of IDDE program	2019
IDDE Ordinance/Bylaw	Stormwater bylaw	Director of Public Works	Draft completed in time to submit to Town Meeting	2020
IDDE action	Illicit discharge elemination	Director of Public Works	Televise the entire system by the end of the term	2028
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Town of Swampscott

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Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Planning Board, ConComm	Complete within 1 year of the effective date of permit; Notification to the boards about enforcement procedures	2019
Site plan review	Complete written procedures of site plan review and begin implementation	Building Inspector, DPW, ZBA, ConComm	Complete within 1 year of the effective date of permit; Add stormwater management to scope of review	2019
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	Planning Board, ConComm	Complete within 1 year of the effective date of permit	2019
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	Planning Board	Complete within 1 year of the effective date of permit	2019
Construction Ordinance/Bylaw	Construction site bylaw and ordinance	Planning Board, Building Inspector, DPW, ERAC	Present draft bylaw to Town Meeting in 2004	2004
Public Review	Public comment	ZBA, ConComm, Planning Board, DPW	Receive input on draft bylaw at public meetings	2004
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Town of Swampscott

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Part III: Stormwater Management Program Summary (continued)

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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
As-built plans for on-site stormwater control	The procedures to require submission of as- built drawings and ensure long term operation and maintenance will be a part of the SWMP	DPW Operations	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	DPW Operations	Complete 4 years after effective date of permit and report annually on retrofitted properties	2022
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	Planning/zoning Department, Conservation Commission	Complete 4 years after effective date of permit and implement recommendations of report	2022
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	Planning/zoning Department, Conservation Commission	Complete 4 years after effective date of permit and implement recommendations of report	2022

Town of Swampscott			F	Page 12 of 18
Ensure any stormwater controls or management practices for new development and redevelopment meet the retention or treatment requirements of the permit and all applicable requirements of the Massachusetts Stormwater Handbook	Adoption, amendment, or modification of a regulatory mechanism to meet permit requirements	Planning Board	Complete 2 years after effective date of permit	2020
BMP O&M Program	BMP manual	DPW, ConComm	BMP manual selected	2022
Post-Construction Ordinance/Bylaw	Runoff Controls	Director of Public Works	Draft bylaw to Town Meeting	2022

Part III: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment		2020	
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	Director of Public Works	Complete 2 years after effective date of permit and implement annually	2020
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	Director of Public Works	Complete 2 years after effective date of permit	2020
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	Director of Public Works	Complete and implement 2 years after effective date of permit	
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	Director of Public Works	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2019
Street sweeping program	Sweep all streets and permitee-owned parking lots in accordance with permit conditions; Twice per year	Director of Public Works	Sweep each street twice per year	2019

Town of Swampscott

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Road salt use optimization program	Establish and implement a program to minimize the use of road salt; Maintain covered salt storage; Calibrate salt spreaders annually	Director of Pub l ic Works	Implement salt use optimization during deicing season; maintenance of salt storage and equipment	2019
Inspections and maitenance of stormwater treatment structures	Establish and implement inspection and maitenance procedures and frequencies	Director of Pub l ic Works	Inspect and maintain treatment structures at least annually	2019
Sensitive Areas	Sensitive area identification	Director of Public Works	Identify and map sensitive areas	2020
O&M Program (General)	Continue no pesticide policy	Director of Public Works	No pesticide use on Town property	2019
Forestation Program	Tree survey	Director of Public Works / Tree Warden	Implement survey and long-term forestation plan	2020
Forestation Program	Implement long-term forestation plan	Director of Public Works / Tree Warden	Implement long-term forestation plan	2022
Employee Training - General Stormwater Topics	Provide training to DPW staff	Director of Public Works	Two training days per year	2019
]	
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Town of Swampscott

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

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

Applicable TMDL	Action Description	Responsible Department/Parties (enter your own text to override the drop down menu)
North Coastal Watershed (Bactria/Pathogen)	Adhere to requirements in part A.III of Appendix F	DPW

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. In addition, if you are subject to additional requirements due to a downstream nutrient impairment (see Part 2.2.2 of the permit) select the pollutant of concern and indicate applicable waterbody IDs or write "all waterbodies" if applicable. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus**.

Pollutant	Waterbody ID(s)	Action Description	Responsible Department/Parties (enter your own text to override the drop down menu)
DDT	Foster Pond	Adhere to requirements in part V of Appendix H	DPW

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.

Over the last three years, 2015-2018, the Town of Swampscott has performed a number of significant activities to address stormwater contamination, with particular consideration to discharges to the Fecal Coliform-impaired Nahant Bay. The Town has utilized the Illicit Discharge Detection and Elimination (IDDE) approach prescribed by the United States Environmental Protection Agency (EPA) to develop a Phase 1 project area for a comprehensive sewer rehabilitation program designed to improve the water quality within the Stacey's Brook drainage culvert and at the outfall to King's Beach. The Town is currently actively implementing a comprehensive sanitary sewer rehabilitation of the sanitary sewer system, with the objective of eliminating non-stormwater discharges from the sanitary sewer system to the storm drain system. The following projects have been completed or are scheduled:

Phase 1A: Replacement of undersized pipelines, has been completed.

Phase 1B: Sewer system rehabilitation is under contract for completion in 2019

Phases 1C and 1D: Both phases are sewer system rehabilitation projects and are currently in the planning phase.

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:	Gino A. Cresta Jr.	Title:	Public Works Drector	
Signature:	Gino A. Cresta Jr. Digitally signed by Gino A. Cresta Jr. Date: 2018.12.07 15:09:39 -05'00'	Date:	12/07/18	

[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

То:	Gino A. Cresta, Jr.	gcresta@town.swampscott.ma.us
MS4 Operator:	Town of Swampscott	
NPDES ID:	MAR041064	

Please provide corrected or additional information for the following:

Note: you do not need to resubmit your entire NOI form; please respond to the email you received from the EPA review team member as soon as possible, but within 30 days, with the requested information below.

2003 Information:	Please provide a scanned hard copy map of your system including outfalls or provide a link to the online map.
ESA eligibility:	Please indicate what ESA eligibility criterion you meet and attach all correspondence with USFW if applicable.
NHPA eligibility:	Please indicate what NHPA eligibility criterion you meet and attach all correspondence if applicable.
Receiving waters:	Please include the number of outfalls for all waterbodies listed.
Public Education MCM:	Please describe 2 messages to each of 4 audiences as required by the permit or indicate that one or more audiences are not present in your municipality.
Public Participation MCM:	
IDDE MCM:	Please update beginning years of implementation for the storm sewer system map BMP, implement IDDE program BMP, and wet weather screening BMP to follow permit requirements.
Construction MCM:	
Post-construction MCM:	
Good Housekeeping MCM:	
TMDLs:	
Impairments:	Note: there are no DDT requirements in Appendix H of the permit.
Certification Information:	Please resign the NOI in accordance with Appendix B.11. For this permit the signatory must be a principle executive officer or ranking elected official. If you plan to scan a signature page please mail the hard copy to EPA at the address provided on the NOI.

1. EPA Request: 2003 Information - Please provide a scanned hard copy map of your system including outfalls or provide a link to the online map.

Response: Provided below as Attachment A.

2. EPA Request: ESA eligibility - Please indicate what ESA eligibility criterion you meet and attach all correspondence with USFW if applicable.

Response: Swampscott meets ESA eligibility Criterion B, please see Attachment B.

3. EPA Request: NHPA eligibility - Please indicate what NHPA eligibility criterion you meet and attach all correspondence if applicable.

Response: Swampscott meets NHPA eligibility Criterion A, please see Attachment C.

4. EPA Request: Receiving waters - Please include the number of outfalls for all waterbodies listed.

Response: The number of outfalls by waterbody are included in the table below.

Water Body	Number of Outfalls
Foster Pond	3
Hawthorne Brook	29
Massachusetts Bay	2
Nahant Bay	21
Palmer Pond	2
Total	57

5. EPA Request: Public Education MCM - Please describe 2 messages to each of 4 audiences as required by the permit or indicate that one or more audiences are not present in your municipality.

Response: Please see the updated messages to each of four audiences in the table below.

BMP Media/Catego ry	BMP Descriptio n	Targeted Audience	Responsible Department/ Parties	Measur able Goal	Beginning Year of Implement ation
Brochures/Pa mphlets	Informati onal Brochure for residentia l yard	Residential Program	Director of Public Works	Develop brochur e and Make availabl e at town	2019

Special Events	work activities Household Hazardous Waste Collection	Residential Program	Health Director	hall, library, and public works building One collecti on per year	2019
Brochures/Pa mphlets	Informati onal Brochure for commerci al landscapi ng practices	Business/Commercial/ Institution Program	Director of Public Works	Develop brochur e and Make availabl e at town hall, library, and public works building	2019
Brochures/Pa mphlets	Informati onal Brochure for storage and handling of materials for pollution preventio n	Business/Commercial/ Institution Program	Director of Public Works	Develop brochur e and Make availabl e at town hall, library, and public works building	2019
Videos	Video highlighti ng erosion and sediment control best managem ent practice for new developm ent and	Developers and Construction	Director of Public Works	Produce and air five minute video on public access channel , town web site, and town	2020

	redevelop ment			faceboo k page	
Posters	Poster highlighti ng Constructi on General Permit requireme nts	Developers and Construction	Director of Public Works	Develop and display poster at town hall and public works building	2020
Brochures/Pa mphlets	Informati onal brochure on best managem ent practices for stormwat er at gravel mining operation s	Industrial Program	Director of Public Works	Develop and mail brochur e to gravel mining operato r(s) in town	2021
Web site	Informati on for heavy equipmen t operators best managem ent practices for pollution preventio n	Industrial Program	Director of Public Works	Post informa tion on website and town faceboo k page	2021

6. EPA Request: IDDE MCM - Please update beginning years of implementation for the storm sewer system map BMP, implement IDDE program BMP, and wet weather screening BMP to follow permit requirements.

Response: Please see the updated beginning years of implementation for the IDDE MCM BMPs in the table below.

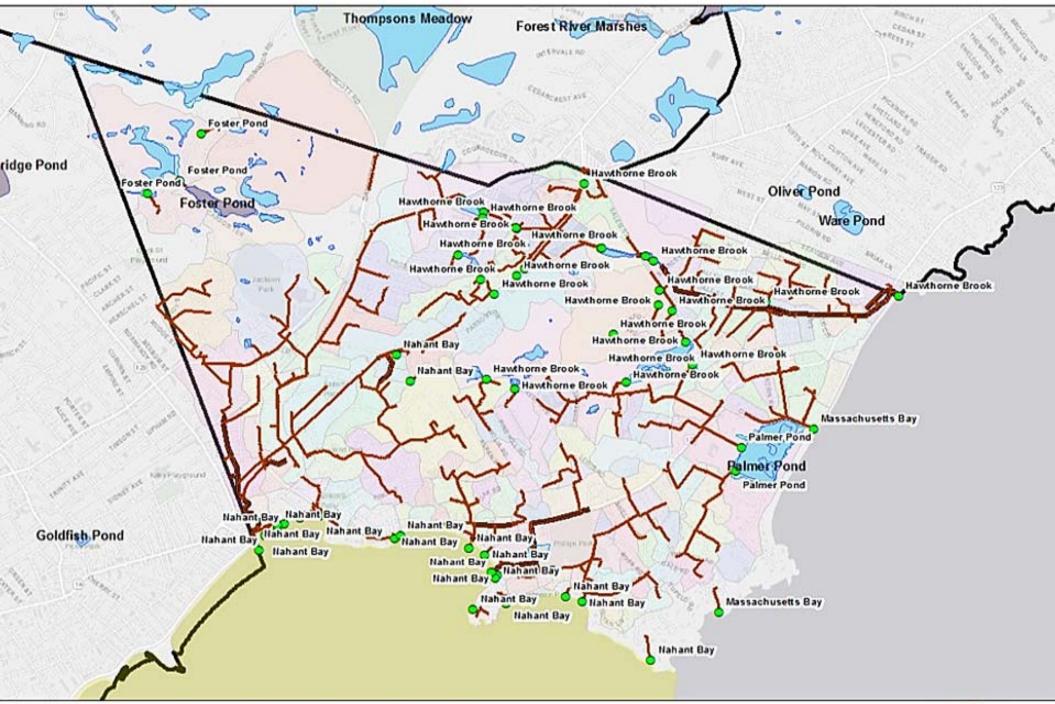
BMP Media/Category	BMP Description	Responsible Department/Parties	Beginning Year of
			Implementation

Storm sewer system map	Create map and update during IDDE program completion; Map outfalls and receiving waters	Director of Public Works	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	Director of Public Works	Complete within 1 year of the effective date of permit and update as required	2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions	Director of Public Works	Complete 10 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Director of Public Works	Complete 10 years after effective date of permit	2019

7. EPA Request: Certification Information - Please resign the NOI in accordance with Appendix B.11. For this permit the signatory must be a principle executive officer or ranking elected official. If you plan to scan a signature page please mail the hard copy to EPA at the address provided on the NOI.

Response: The NOI will be resigned in accordance with Appendix B.11.

Attachment A: Storm Sewer System Map



Swampscott Storm Sewer System Map April 2019



Attachment B: ESA Eligibility Criterion



United States Department of the Interior

FISH AND WILDLIFE SERVICE



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

September 24, 2018

To whom it may concern:

The U.S. Fish and Wildlife Service (USFWS) reviewed the stormwater discharge activities associated with the 2016 National Pollutant Discharge and Elimination System (NPDES) Massachusetts (MA) Small Municipal Separate Storm Sewer System (MS4) general permit (MA MS4 General Permit) issued by the Environmental Protection Agency (EPA). We determined those activities may affect, but are not likely to adversely affect, certain species listed under the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) when specific conditions are met. When these conditions are met, we do not need to review individual projects. These comments are provided in accordance with section 7 of the ESA and complement existing 2016 MA MS4 General Permit Appendix C Guidance. We understand the applicant is acting as a non-Federal representative of the EPA for the purpose of consultation under section 7. **This letter provides additional guidance for meeting Criterion B and should be submitted as part of your application package to the EPA.**

If the USFWS Information for Planning and Consultation website (https://ecos.fws.gov/ipac/) indicates your MA MS4 General Permit project action area may contain one or more of the following federally listed endangered species: roseate tern (*Sterna dougallii*), northern red-bellied cooter (*Pseudemys rubriventris*), dwarf wedgemussel (*Alasmidonta heterodon*), rusty patched bumble bee (*Bombus affinis*), northeastern bulrush (*Scirpus ancistrochaetus*), or American chaffseed (*Schwalbea americana*); threatened species: piping plover (*Charadrius melodus*), bog turtle (*Glyptemys muhlenbergii*), Puritan tiger beetle (*Cicindela puritana*), northeastern beach tiger beetle (*Cicindela dorsalis*), or red knot (*Calidris canutus rufa*); or their federally designated critical habitat; and the specific conditions listed below are met, you may submit this letter to complete the **MA MS4 General Permit Appendix C: Step 4** in place of a concurrence letter for informal consultation as documentation of ESA eligibility for **USFWS Criterion B**.

In addition, this letter also satisfies the requirement in the MA MS4 General Permit Appendix C: Step 2 (3) to contact the USFWS and obtain a concurrence letter, if you have not yet done so. If your project action area includes one or more of the above-listed species *and* one or more of the

species listed under **Criterion C**,¹ you may still use this letter to certify under **Criterion B**. All existing guidance regarding requirements for certifying eligibility according to the USFWS Criterion A, B, or C for coverage by the 2016 MS4 Permit (see MA MS4 General Permit Appendix C – Endangered Species Guidance) remains unchanged.

We have determined that proposed stormwater discharge activities covered under the 2016 MS4 Permit *may affect, but are not likely to adversely affect*, the above-listed species and the species' critical habitat when the following are true:

- 1. all stormwater discharges are pre-existing or previously permitted by EPA;
- 2. any planned operations and maintenance work covered by this permit will only affect previously disturbed areas where stormwater controls are already installed. In these situations the chance of encountering any of the subject species is discountable;
- 3. the project implements EPA MS4 Best Management Practices (BMPs) and meets Clean Water Act and Massachusetts Water Quality Standards. Although permitted discharges may reach the environment used by these species, BMPs reduce pollutants to the extent that discharges are not known to have measurable impacts on these species or their habitat;
- 4. no new construction or structural BMPs are proposed under this permit at this time; and
- 5. you agree that if, during the course of the permit term, you plan to install a structural BMP not identified in the Notice of Intent (NOI), you will re-initiate consultation with the USFWS as necessary (see MA MS4 General Permit Appendix C: Step 2 (5)).

If the above criteria are met, further consultation with the USFWS under section 7 of the ESA is not required at this time; however, if the proposed action changes in any way such that it may affect a listed species in a manner not previously analyzed or if new information reveals the presence of additional listed species that may be affected by the project, the applicant or the EPA should contact us immediately and suspend activities that may affect those species until the appropriate level of consultation is completed with our office. Thank you for your cooperation, and please contact David Simmons of this office at (603) 227-6425 if you have questions or need further assistance.

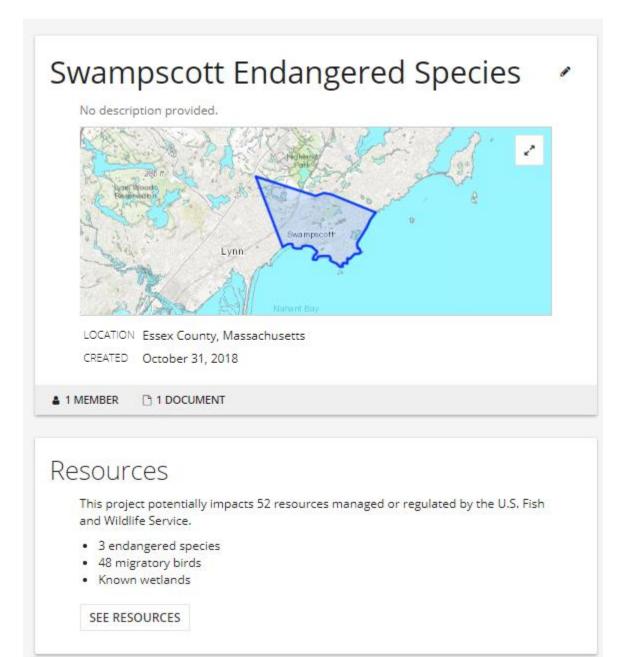
Sincerely yours,

Thomas R Chapman Supervisor New England Field Office

¹ Criterion C includes guidance for project action areas that may contain species for which EPA has already made a determination. These species include the northern long-eared bat (*Myotis septentrionalis*), sandplain gerardia (*Agalinis acuta*), small whorled pogonia (*Isotria medeoloides*), and/or American burying beetle (*Nicrophorus americanus*) (MA MS4 General Permit Appendix C: Step 3 – Determine if You Can Meet Eligibility USFWS Criterion C).

Endangered Species:

See attached letter from USFWS dated September 24, 2018.



IPaC Information for Planning and Consultation MY PROJECTS PROJECT HOME REGULATORY REVIEW			U.S. Fish & Wildlife Service STEPHANIE ALIMENA -		
			LOCAL OFFICE NEW ENGLAND ESFO		
Resources		Endangered species			
ENDANGERED SPECIES	3	Listed species 🕕 and their critical habitats are managed	d by the Ecological Services Program of the U.S.		
MIGRATORY BIRDS	48	Fish and Wildlife Service (USFWS) and the fisheries division Administration (NOAA Fisheries 📧).			
FACILITIES		Species and critical habitats under the sole responsibility	y of NOAA Fisheries are not shown on this list.		
WETLANDS	~	Please contact <u>NOAA Fisheries</u> for <u>species under their jur</u>	<u>ction</u> .		
PRINT RESOURCE LIST		Additional information on endangered species data is provided below.			
1		The following species are potentially affected by activities	s in this location:		
		■ THUMBNAILS II LIST			

Mammals



Birds



Critical habitats

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

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

- > What does IPaC use to generate the list of endangered species potentially occurring in my specified location?
- > Do these lists represent all species to be considered at this location?
- > If this resource list is empty, do I still need to coordinate with the USFWS?
- > What is an 'official species list' and why would I need one?

Attachment C: NHPA Eligibility Criterion

Town of Swampscott, MA NOI Screenings

National Historic Properties:

The Town's MS4 is an existing system covered under the 2003 permit; therefore, the Town meets criteria A of Appendix D to the Small MS4 General Permit.

The following nationally listed historic properties were identified through this screening:

- Swampscott Cemetery (13000051)
- Olmsted Subdivision Historic District (02000696)
- Swampscott Railroad Depot (98001106)
- Sir John Humphreys House (90000258)
- Swampscott Fish House (85001120)
- Elihu Thomson House (76002002)

