

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

Web address where MS4 map is published:
If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

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

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

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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: [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)

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Other pollutant(s) causing impairments								
		Chloride	Chlorophyll-a	Dissolved Oxygen/DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus
MA32-37 Ashley Brook	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MA32-39 Jacks Brook	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MA32-08 Little River	17	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MA32-36 Little River	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MA32-23 Moose Meadow Brook	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fecal Coliform
MA32-09 Powdermill Brook	16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32-05 Westfield River	13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32012 Buck Pond		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32043 Horse Pond		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32055 Pequot Pond	3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA34-11 Manhan River		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32-38 Cook Brook		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA34-24 Pond Brook	9	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA32-25 Great Brook	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"/>	
MA32-06 Westfield River	13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MA34-13 Brickyard Brook		<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

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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
Mailing	Consumer Confidence Report	Residents	Public Works	Deliver Annually	2018
Mailing	Consumer Confidence Report	Businesses, Institutions and Commercial Facilities	Public Works	Deliver Annually	2018
Brochures/Pamphlets	During Building Permit	Developers (construction)	Public Works	Deliver during building permit	2018
Mailing	Consumer Confidence Report	Industrial Facilities	Public Works	Deliver Annually	2018
Web Page	Spring Fertilizer, Summer Pet Waste, and Fall Leaf Pick-up	Residents	Public Works	Post Annually	2018
Web Page	Spring Fertilizer, Summer Pet Waste, and Fall Leaf Pick-up	Businesses, Institutions and Commercial Facilities	Public Works	Post Annually	2018
		Developers (construction)			
Web Page	Spring Fertilizer, Summer Pet Waste, and Fall Leaf Pick-up	Industrial Facilities	Public Works	Post Annually	2018
Brochures/Pamphlets	During Dog Licensing	Residents	Public Works	Deliver during dog licensing	2018

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

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

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

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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 Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Public Works	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	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	Planning	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	Planning	Complete within 1 year of the effective date of permit	2018

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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 Implementation
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	Planning	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	Public Works	Complete 4 years after effective date of permit and report annually on retrofitted properties	2018
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	Complete 4 years after effective date of permit and implement recommendations of report	2020
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	Complete 4 years after effective date of permit and implement recommendations of report	2020

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 <small>(enter your own text to override the drop down menu or entered text)</small>	BMP Description	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>	Measurable Goal <small>(all text can be overwritten)</small>	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 Operations	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	DPW Operations	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	DPW Operations	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	DPW Operations	Complete and implement 2 years after effective date of permit	2019
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW Operations	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 Operations	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 Operations	Implement salt use optimization during deicing season	2018

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. 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 <small>(enter your own text to override the drop down menu)</small>
E. Coli	MA32-37, MA32-39, MA32-08, MA32-36, MA34-11	Adhere to requirements in part III of Appendix H	Public Works
TSS	MA32-23, MA32-09, MA32-05	Adhere to requirements in part V of Appendix H	Public Works
Phosphorus	MA32055	Adhere to requirements in part II of Appendix H	Public Works
		Adhere to requirements in part V of Appendix H	

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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.

Click to add text

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:

Title:

Signature:

Date:

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

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

Part V: Certification

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

Name:

Title:

Signature:

Date:

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

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



CITY OF WESTFIELD, MASSACHUSETTS

Department of Public Works

28 Sackett Street, Westfield, MA 01085-3572

(413) 572-6243

David Billips, Director

Francis Cain, Assistant Director

August 8, 2018

Newton Tedder
US Environmental Protection Agency
Stormwater and Construction Permits Section (OEP06-1)
Five Post Office Square, Suite 100
Boston, MA 02109

Re: Endangered Species Determination for Westfield, MA Associated with the MA MS4 General Permit

Dear Mr. Tedder:

The City of Westfield, MA is a non-federal representative designated by the Environmental Protection Agency (EPA) for conducting formal or informal consultation with the U.S. Fish and Wildlife Service.

I have evaluated the United States Fish & Wildlife Service iPAC Biological and Conservation Data System files in response to new regulation promulgation under the 2016 Massachusetts Municipal Separate Sewer System (MS4) General Permit. The objective of this review is to determine the presence of endangered or threatened species within the program implementation area in Westfield, MA.

Our review evaluated the area of impact of required program activities, analysis of these program activity areas within the iPAC database, examining maps, other sources of information, and the personal knowledge of staff or cooperating experts.

According to the information currently in the iPAC database, there are two threatened species within the proposed project area (Small Whorled Pogonia and Northern Long-Eared Bat) and no critical habitat. Please see Attachment 1 as the official species list.

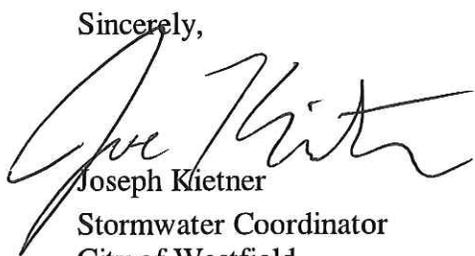
The proposed stormwater program activities are a continuation of previous permitted activities and include non-structural management of stormwater runoff as required by the MA MS4 General Permit. These activities will include education, investigation, and pollutant source control on existing municipal facilities and roadways and will not disturb terrestrial vegetation. Both listed species are sensitive to land disturbance and as the program implementation will not disturb vegetation we have therefore determined that our programmatic activities will have “no affect” on the listed species.

If during the course of the permit term we plan to install structural stormwater treatment practices or engage in other land disturbing activities as a result of compliance with the MS4 General Permit, the City of Westfield will initiate further informal or formal consultation with the USFWS.

Based on this review and an evaluation of determination requirements outlined in Appendix C of the MA MS4 General Permit, we have determined that we meet Criterion C. We request EPA's concurrence of this determination for inclusion in our Stormwater Management Program Plan.

Please do not hesitate to contact me if you have further questions about Westfield's stormwater management program.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Kietner", written over the printed name.

Joseph Kietner
Stormwater Coordinator
City of Westfield
413-642-9398
Joseph.Kietner@cityofwestfield.org



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 08, 2018

Consultation Code: 05E1NE00-2017-SLI-0735

Event Code: 05E1NE00-2018-E-06198

Project Name: Westfield Massachusetts Stormwater Discharges

Subject: Updated 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: 05E1NE00-2017-SLI-0735

Event Code: 05E1NE00-2018-E-06198

Project Name: Westfield Massachusetts Stormwater Discharges

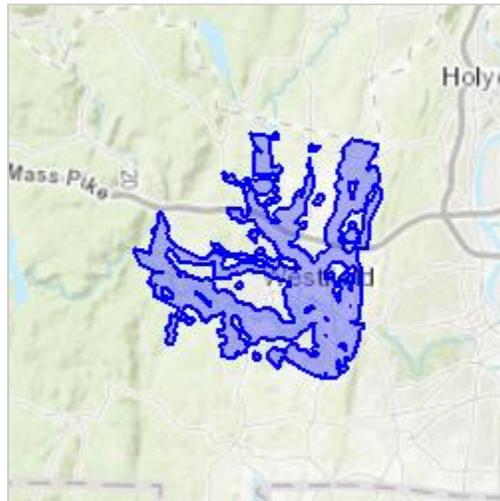
Project Type: Regulation Promulgation

Project Description: The project includes non-structural management of stormwater runoff as required by the MA MS4 General Permit. These activities will almost entirely include pollutant source control on existing municipal facilities and roadways. If during the course of the permit term we plan to install structural stormwater treatment practices, the City of Westfield will initiate informal or formal consultation with the USFWS as necessary.

The project area was defined based on municipal stormwater discharge (aka outfalls) locations and a buffer around mapped local hydrography. This polygon was clipped to the regulated urbanized area and resulted in an action area of approximately 13,000 acres.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.13421248298066N72.78981655320234W>



Counties: Hampden, MA | Hampshire, 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

Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1890	Threatened

Critical habitats

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



CITY OF WESTFIELD, MASSACHUSETTS

Department of Public Works

28 Sackett Street, Westfield, MA 01085-3572

(413) 572-6243

David Billips, Director

Francis Cain, Assistant Director

Newton Tedder
US Environmental Protection Agency
Stormwater and Construction Permits Section (OEP06-1)
Five Post Office Square, Suite 100
Boston, MA 02109

The City of Westfield (MS4 permittee) has determined that the discharges regulated under this permit do not have the potential to cause effects on National Register of Historic Properties.

The implementation of this Stormwater Management Plan (SWMP) will require development of standards of practice, compliance documentation, investigation and operations of existing drainage facilities, local regulatory policies and other studies. The SWMP does not obligate the City of Westfield to undertake any activity involving subsurface land disturbance and program implementation will only take place on existing municipal separate storm sewer systems that have been previously authorized for coverage under the MS4 General Permit.

Westfield has 12 historical sites that are listed on the National Register of Historic Places.

- o [Landlord Fowler, Tavern - 171 Main Street](#)
- o [State Normal School - Westfield Municipal Building - 59 Court Street](#)
- o [State Normal Training School - Washington Street](#)
- o [Van Deusen, H.M. Whip Company - 42 Arnold Street](#)
- o [Watson-Steiger-Loomis Octagon House - 28 King Street](#)
- o [Westfield Whip Manufacturing Company - 360 Elm Street](#)
- o [Old Burying Ground - Mechanic Street](#)
- o [United States Whip Company Complex - 24 Main Street](#)
- o [Dewey House - 87 South Maple Street](#)
- o [Prospect Hill School - 33 Montgomery Street](#)
- o [Sanford Whip Factory - 330 Elm Street](#)
- o Westfield Business District

If during the course of MS4 General Permit program implementation, the City of Westfield anticipates subsurface land disturbance as a result of this General Permit, the City will prepare a complete information submittal to the State Historic Preservation Office.

Sincerely,

Joseph Kietner
Stormwater Coordinator
City of Westfield
413-642-9398
Joseph.Kietner@cityofwestfield.org

From: Joseph Kietner
To: [Kozminski, Michelle](mailto:Kozminski_Michelle)
Cc: [Zach Henderson \(zhenderson@woodardcurran.com\)](mailto:zhenderson@woodardcurran.com); [Megan McDevitt \(mmcdevitt@woodardcurran.com\)](mailto:mmcdevitt@woodardcurran.com); smedeiros@woodardcurran.com; [David Billips \(d.billips@cityofwestfield.org\)](mailto:d.billips@cityofwestfield.org); [Casey Berube \(c.berube@cityofwestfield.org\)](mailto:c.berube@cityofwestfield.org)
Subject: Westfield Response to NOI Information Request
Date: Monday, October 01, 2018 2:46:52 PM
Attachments: [Westfield Impaired Waters.pdf](#)
[Westfield Education and Outreach.pdf](#)

Greetings,

We received and reviewed the Small MS4 NOI Information Requested attachment in your email on Tuesday September 27. The following are our responses, as requested, with the original EPA request in italics.

Please provide the number of outfalls to each receiving waterbody. Please ensure you list all impairments for each waterbody listed on the NOI, including those pollutants that do not have a check box. Also, it looks like segment 34-11 was incorrectly marked as TSS instead of E. coli (properly listed in Part III though).

Response: Thank you for the correction on the Manhan River. We did have that accurately identified as bacteria impaired in our draft SWMP. See attached section from the SWMP for all waters and all impairments. Additionally, we were unsure if we needed to include non-pollutant impairments in the NOI as the document specifically asked for "other pollutants causing impairments" but you will see in our SWMP we have outlined all impairments both pollutant and non-pollutant. As for the outfall request. The City of Westfield does have several waterbodies within the urbanized area that do not have City-owned direct MS4 discharges or may not have any MS4 infrastructure at all in proximity to the waterbody. In those cases we listed the waterbody in the NOI but left the number of outfalls blank. The NOI form does not accept 0 as an option. We are fine if you remove these water from the NOI.

Please complete the educational message for developers. Please provide measurable goals specific to the public education messages and anticipated environmental outcome. For more information on measurable goals please see: <https://www3.epa.gov/npdes/pubs/measurablegoals.pdf>

Response: We will be meeting regulatory obligations for developers and will be providing ongoing annual outreach via brochures during building permits. We neglected to include this ongoing outreach twice. We anticipate that we will track numbers of consumer confidence reports sent, number of brochures distributed and webpage "likes" as additional measurable goals. This information will be provided in our annual report. We are unsure what you mean by environmental outcomes but do anticipate a greater awareness and understanding of stormwater issues as a result of our efforts in the City of Westfield. We have attached an excerpt from our SWMP regarding these BMPs which provides additional detail on our measurable goals.

Please resign the NOI in accordance with Appendix B.11. For a municipality this is 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 by the Mayor of the City of Westfield and the original will be sent to EPA along with an electronic copy.

Let us know if you have additional questions or needs.

For Woodard and Curran:



CM 1: Public Education and Outreach (Permit Section 2.3.2)

Objective: Implement an education program that addresses stormwater issues of significance. The ultimate objective of a public education program is to increase knowledge of and help change behaviors of the public so that pollutants in stormwater are reduced. The “public” as defined in the MS4 General Permit are residents, businesses/institutions, developers/contractors, and industrial facilities.

BMP ID #	BMP Description	Permit Section Reference	Measurable Goal(s)	Deadline(s)
1.1	Develop public education program plan (Education and Outreach Plan)	2.3.2.a	<p>Develop an Education & Outreach (E&O) Plan which will outline an education approach that is inclusive of all education requirements across the permit and for impaired waters.</p> <ul style="list-style-type: none"> • Develop educational messages to be distributed to target audiences, consider the topics listed in 2.3.2.d of the MS4 General Permit. • Develop educational messages specific to the areas that discharge to priority waters, impaired waters, and drinking water supplies. • Plan to provide educational web content and other publicly accessible resources. • Consider needs specific to community based on language, types of businesses, etc. • Develop methods to evaluate effectiveness of the messages and overall education program. 	End of Permit Year (PY) 1
1.2	Deliver targeted/timed educational messages	2.3.2.c	Distribute a minimum of 1 educational message to each of the 4 target audiences (residents, commercial, construction, and industrial.)	End of PY 2
			Distribute a minimum of 1 additional educational message to each of the 4 target audiences. (Ensure that messages to each audience are at least 1 year apart.)	End of PY 5
			Post educational messages on the City website. Maintain educational content throughout the permit term.	End of PY 1
1.3	Deliver supplemental educational messages in areas that discharge to Total Phosphorus impaired waterbodies (Powdermill)	2.2.2.b.i.1 & Appendix H part II	For areas that discharge to waterbodies with a Total Phosphorus impairment, distribute 1 educational message in March/April timeframe of each permit year that pertains to proper disposal of grass clippings and fertilizer use.	Annual
			For areas that discharge to waterbodies with a Total Phosphorus impairment, distribute 1 educational message in the June/July timeframe of each permit year that pertains to proper pet waste management.	



BMP ID #	BMP Description	Permit Section Reference	Measurable Goal(s)	Deadline(s)
	Brook, Westfield River, and Pequot Pond)		For areas that discharge to waterbodies with a Total Phosphorus impairment, distribute 1 educational message in Aug./Sept./Oct. timeframe of each permit year that pertains to proper disposal of leaf litter.	
1.4	Deliver supplemental educational messages in areas that discharge to bacteria or pathogen impaired waterbodies (Ashley Brook, Jacks Brook, Little River, Moose Meadow Brook, and Manhan River).	2.2.2.c.i.1 & Appendix H part III	For areas that discharge to bacteria or pathogen impaired water bodies, provide educational materials to dog owners at the time of issuance or renewal of a dog license, or other appropriate time. These education materials describe the detrimental impacts of improper management of pet waste, requirements for waste collection and disposal, and penalties for noncompliance.	Throughout Permit Term
			For areas that discharge to bacteria or pathogen impaired water bodies, provide educational materials to owners of septic systems about proper maintenance (as applicable).	Annual
	Deliver supplemental education messages in areas that discharge to tributaries to the Long Island Sound, which is a nitrogen impaired waterbody.	2.2.1.c.i.1 & Appendix F Section B part I	For areas that discharge into tributaries of the Long Island Sound, which is a nitrogen impaired waterbody, distribute 1 educational message in April/May timeframe of each permit year that pertains to proper disposal of grass clippings and fertilizer use.	Annual
			For areas that discharge into tributaries of the Long Island Sound, which is a nitrogen impaired waterbody, distribute 1 educational message in the June/July timeframe of each permit year that pertains to proper pet waste management.	
			For areas that discharge into tributaries of the Long Island Sound, which is a nitrogen impaired waterbody, distribute 1 educational message in Aug./Sept./Oct. timeframe of each permit year that pertains to proper disposal of leaf litter.	
1.5	Assess educational program and modify if needed	2.3.2.e	Assess effectiveness of the educational program per the E&O Plan and modify messages, if needed. Modify ineffective messages, if any, prior to next message delivery.	Annual



CM 2: Public Involvement and Participation (Permit Section 2.3.3)

Objective: Provide opportunities to engage the public to participate in the review and implementation of the SWMP.

BMP ID #	BMP Description	Permit Section Reference	Measurable Goal(s)	Deadline(s)
2.1	Conduct public participation activities	2.3.3.b	Allow public participation in the implementation of the SWMP, annually. All public involvement activities shall comply with state public notice requirements. Document and report on activities.	Annual
2.2	Provide opportunity for public to review SWMP	2.3.3.b & c	Allow public participation in review of the SWMP annually. Facilitate public review of SWMP, annually. Allow public to comment on SWMP, annually. All public involvement activities shall comply with state public notice requirements. Document public review and public comments.	Annual
2.3	Make program documents available to the public	2.3.3.a	Post the SWMP and all Annual Reports on City website (following public notice requirements).	Annual



1.2 WATER QUALITY STANDARDS

1.2.1 Impaired Waters

Discharges to waterbodies with approved TMDL or to water quality limited water bodies (impaired), or stormwater discharges causing or contributing to impairment have additional requirements in parts 2.1 and 2.2 of the MS4 General Permit. The City of Westfield MS4 discharges to waterbodies that are considered impaired, according to MassDEP's 2014 Integrated List of Waters; however, none of these waterbodies have an approved TMDL. A list of impaired waters that are within the City of Westfield and their impairment causes is provided in Table 2-1 on the following page. A map showing MassDEP's 2014 impaired waters in the City of Westfield is provided in Appendix C of this SWMP.

Westfield is within the Connecticut River Watershed, which drains to Long Island Sound and has an approved TMDL for nitrogen. For areas within the City that directly discharge into a tributary of the Long Island Sound, there are additional control measures or BMPs that have been established, as required by parts 2.1 and 2.2 of the MS4 General Permit. Among the impairment causes is nitrogen, and therefore, some requirements of Appendix F in the General Permit apply. A description of the BMPs and measurable goal(s) associated with these requirements have been integrated into section 1.1 of this SWMP. The following is a summary of the additional permit requirements, per Appendix F of the General Permit:

- For areas that discharge to waters that are within the Connecticut River Watershed, which is impaired by Nitrogen and tributary to the Long Island Sound (All Waters):
 - Supplement the Residential and Business/Commercial/Institutional public education and outreach program with an annual timed message on specific topics (April/May: disposal of grass clippings and fertilizer use; June/July: proper management of pet waste; August/September/October: proper disposal of leaf litter).
 - Adopt or amend an ordinance or other regulatory mechanism that includes a requirement that new development or redevelopment stormwater management BMPs be optimized for nitrogen removal.
 - Establish requirements for use of slow release fertilizer, proper management of grass clippings and leaf litter, and increase of street sweeping to a minimum of twice per year (Spring/Fall) on all permittee owned property.
 - Develop a Nitrogen Source Identification Report including the total urbanized area within the Connecticut Watershed, all screening and monitoring results, impervious area and Directly Connected Impervious Area (DCIA) for the target catchment, identification, delineation and prioritization of potential catchments with high nitrogen loading, and identification of potential retrofit opportunities or installation of structural BMPs during redevelopment.
 - Evaluate all municipal properties presenting retrofitting opportunities or areas for structural BMP installation.
 - Provide a listing of planned structural BMPs and a plan and schedule for the implementation of such BMPs. Implement one BMP within six years of permit effective date.



- Estimate the total nitrogen removal provided by any structural BMP installed in the regulated area.

There are other waterbodies within Westfield that are impaired, but do not have an approved TMDL. For the areas within the City that directly discharge to impaired waterbody segments without an approved TMDL, there are additional control measures or BMPs that have been established, as required by parts 2.1 and 2.2 of the MS4 General Permit. Among the impairment causes are bacteria or pathogens, and therefore, some of the requirements of Appendix H in the General Permit apply. A description of the BMPs and measurable goal(s) associated with these requirements have been integrated into Section 1.1 of this SWMP. The following is a summary of the additional permit requirements, per Appendix H of the General Permit:

- For the areas that discharge to waters that are impaired by Total Phosphorus (Powdermill Brook, Westfield River, Pequot Pond):
 - Supplement the Residential and Business/Commercial/Institutional public education and outreach program with an annual timed message on specific topics (March/April: disposal of grass clippings and fertilizer use; June/July: proper management of pet waste; August/September/October: proper disposal of leaf litter).
 - Adopt or amend an ordinance or other regulatory mechanism that includes a requirement that new development or redevelopment stormwater management BMPs be optimized for phosphorus removal.
 - Include consideration of BMPs that infiltrate stormwater where feasible in retrofit inventory and priority.
 - Establish housekeeping procedures to manage grass cuttings and leaf litter on permittee property.
 - Increase street sweeping frequencies on all municipally owned streets and parking lots to a minimum of 2x per year (one time each spring and fall).
 - Develop a Phosphorus Source Identification Report which includes the total MS4 area draining to each water quality limited receiving water, all screening and monitoring results, impervious area and DCIA for the target catchment, identification, delineation and prioritization of potential catchments with high phosphorus loading, and identification of potential retrofit opportunities or installation of structural BMPs during redevelopment.
 - Evaluate all properties presenting retrofitting opportunities or areas for structural BMP installation.
 - Provide a listing of planned structural BMPs and a plan and schedule for the implementation of such BMPs. Implement one BMP within six years of permit effective date.
 - Estimate the total phosphorus removal provided by any structural BMP installed in the regulated area.
- For the areas that discharge to waters that are impaired by bacteria or pathogens but do not have an approved TMDL (Ashley Brook, Jacks Brook, Little River, Moose Meadow Brook, and Manhan River):
 - Supplement residential public education and outreach program with an annual message encouraging the proper management of pet waste and proper maintenance of septic systems.



- Designate catchments draining to any waterbody impaired for bacteria or pathogens as either Problem or High Priority catchments in implementation of the IDDE program.

Table 2-1: Impaired Waters in Westfield

Segment ID	Name	Impairment Category Classification	Impairments*	Pollutant of Concern Sampling Requirements
Waterbodies in the Westfield River Watershed:				
MA32-37	Ashley Brook	Category 5	Escherichia coli	- Escherichia coli
MA32-39	Jacks Brook	Category 5	Escherichia coli	- Escherichia coli
MA32-08	Little River	Category 5	Escherichia coli	- Escherichia coli
			Fecal Coliform	- Fecal Coliform
MA32-36	Little River	Category 5	Escherichia coli	- Escherichia coli
			<i>Combined Biota/Habitat Assessments</i>	
MA32-23	Moose Meadow Brook	Category 5	Fecal Coliform	- Fecal Coliform
			Turbidity	- Turbidity - Total Suspended Solids
MA32-09	Powdermill Brook	Category 5	Excess Algal Growth	- Total Phosphorus
			Turbidity	- Turbidity - Total Suspended Solids
			Sedimentation/Siltation	- Total Suspended Solids
MA32-05	Westfield River	Category 5	Excess Algal Growth	- Total Phosphorus
			Turbidity	- Turbidity - Total Suspended Solids



Segment ID	Name	Impairment Category Classification	Impairments*	Pollutant of Concern Sampling Requirements
			Taste & Odor	No Monitoring Required
			<i>Aquatic Macroinvertebrate Bioassessment</i>	
MA32012	Buck Pond	Category 4C	Non-Native Aquatic Plants	No Monitoring Required
MA32043	Horse Pond	Category 4C	Non-Native Aquatic Plants	No Monitoring Required
			<i>Eurasian Water Milfoil, Myriophyllum spicatum</i>	
MA32055	Pequot Pond	Category 5	Total Phosphorus	- Total Phosphorus
			Dissolved Oxygen	- Dissolved Oxygen - Total Phosphorus - Temperature - BOD ₅
			Non-Native Aquatic Plants	No Monitoring Required
			<i>Eurasian Water Milfoil, Myriophyllum spicatum</i>	
Waterbodies tributary to the Connecticut River via Southhampton/Easthampton:				
MA34-11	Manhan River	Category 5	Escherichia coli	- Escherichia coli

Note: 1. Reissuance and/or approval of the Massachusetts Integrated List of Waters may necessitate modifications to this Plan to maintain compliance with applicable requirements.
 2. Items in gray, italicized font may require additional consultation from MassDEP, per **Appendix G** of 2016 MS4 General Permit.

1.2.2 Surface Public Drinking Water Supplies

The City of Westfield has no surface public drinking water supply sources or surface water supply watersheds within its City boundary, according to available MassGIS data.