

## 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 ☐ D

☒ 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):

# 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.

*New Hampshire list of impaired waters:* <http://des.nh.gov/organization/divisions/water/wmb/swqa/>

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 of the permit. List any other pollutants in the last column, if applicable.

[illegible]

Click to lengthen table

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

### Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs).

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

#### MCM 1: Public Education and Outreach

<b>BMP Media/Category</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Targeted Audience</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b>	<b>Beginning Year of BMP Implementation</b>
Brochures/Pamphlets and other promotion;	BMP: Pet Waste- information on pet waste included with tax bill; information provided with dog license registration; information available at Town Hall and online; coordinate with local veterinarians to have information available.	Residents	Tax Collector/ town staff with assistance from RPC, or NH Stormwater	Increased awareness of pet waste impacts to water quality	2018
Brochures/Pamphlets and other promotion;	BMP: LID - Each permit application contains information related to Low Impact Development (LID); information available at Town Hall and online.	Developers (construction)	Planning Board	2)Increased awareness of Low Impact Development (LID) principles and technologies	2019

Brochures/Pamphlets and other promotion:	BMP: Storage/use of salt or deicing materials - Each tax bill contains information on storage/use of salt or deicing materials; information available at Town Hall and online.	Industrial Facilities	Tax Collector, materials developed by Town staff, RPC, or NH Stormw	1) Increased awareness of effects salt/de-icing materials have on surrounding environment and water quality 2) Increase awareness to minimize use of harmful de-icing materials 3) Increased education of proper salt/de-icing material storage to prevent runoff or contamination of ground water	2019
Newspaper Articles/Press Releases and othe	BMP: Landscaping techniques to protect water quality- Fall/ Spring press release in local newspaper with techniques, notification of upcoming trainings (UNH CE/Soak Up the Rain/etc.); information available in site plan review application, information available at the Town Hall and online.	Businesses, Institutions and Commerce	Road Agent or designee, materials developed by Town staff, RPC, or N	1) Increased awareness of landscaping techniques among landscapers and promoting more water quality friendly landscaping practices	2019
Brochures/Pamphlets and other promotion:	BMP: Proper sediment and erosion control management practices - information in available in site plan review application; available at the Town Hall and online.	Developers (construction)	Planning Board, materials developed by Town staff, RPC, or NH Storm	1) Increased awareness of proper sediment and erosion control management practices.	2019

Brochures/Pamphlets and other promotion:	BMP: Proper management of dumpsters - Each tax bill contains information on proper management of dumpsters; information available at the Town Hall and online.	Industrial Facilities	Town Administrator or designee, materials developed by Town staff,	1) Increased awareness of proper management of waste materials and dumpsters, including proper covering and pollution prevention	2019
training	Participate in trainings, as provided by NH DES, Stormwater Coalition, or other agency/ group.	Town employees and departments	Town Administrator and Department Heads, materials developed by	1) Increased awareness and education on permit	Annually
Web Page	Web Page maintained by Town. Will include electronic copies of promotional materials. Will also include outreach materials from the NH Stormwater Coalition and a list of resources.	All Target Audiences	Town Administrator or designee, materials developed by Town staff,	Website (or link to an MS4 site) established and maintained	Annually
Brochures/Pamphlets and other promotion:	BMP: Septic Systems - Each tax bill contains information on septic systems including maintenance, cost savings, and water quality issues; information available at Town Office and online. Utilize materials from EPA "Septic Smart" program.	Residents	Town Administrator or designee, materials developed by Town staff,	Residents increase knowledge of septic system maintenance and water quality impacts.	2020

[illegible]

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

## MCM 2: Public Involvement and Participation

[illegible]

[illegible]

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

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

#### MCM 3: Illicit Discharge Detection and Elimination (IDDE)

<b>BMP Categorization</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
Sanitary Sewer Overflow (SSO) inventory	Develop SSO inventory in accordance of permit conditions	Highway Department with assistance from the Town's Engineer	If/when SSO is established it will be inventoried annually
Storm sewer system map	Hard copy system map created (need to add roadside swales, missing pipes and watersheds)	Highway Department with assistance from the Town's Engineer	Update map (digital mapping) within 2 years of effective date of permit and complete full system map 10 years after effective date of permit
Written IDDE program development	Create written IDDE program	Town Administrator, documents by Town's Engineer and RPC	Complete within 1 year of the effective date of permit and update as required
Implement IDDE program	Implement program including priority ranking, sampling, catchment investigations and training	Town Administrator or designee	Complete 10 years after effective date of permit
Employee training	Train employees on IDDE implementation	Town Administrator and Department Heads and RPC	Train annually
Initial outfall priority ranking	Develop written procedures and develop initial rankings	Highway Department with assistance from the Town's Engineer	2019
Conduct dry and/or wet weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Highway Department with assistance from the Town's Engineer	Complete 3 years after effective date of permit for priority outfalls
Priority ranking refinement and Catchment Investigations	Refine outfall rankings and develop written procedures and conduct investigations of all catchment areas	Highway Department with assistance from the Town's Engineer	Complete 7 years after effective date of permit for Problem Catchments and 10 years for all catchments
IDDE Ordinance/Bylaw	Develop IDDE Ordinance	Town Administrator, documents by RPC, approval by Board of Selectmen	2019
IDDE Plan - Illegal Dumping Program	Inspect suspected illegal dumping sites as reported	Building Permitting and Enforcement	Annually
IDDE Plan - Non-stormwater Discharge Inventory/Assessment	Map and assess non-stormwater discharge locations	Town Administrator, documents by Town's Engineer and RPC	Annually

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

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

#### MCM 4: Construction Site Stormwater Runoff Control

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Update written procedures of site inspections and enforcement procedures	Planning Board with assistance from Town's Engineer	Complete within 1 year of the effective date of permit
Site plan review	Update written procedures of site plan review and begin implementation	Planning Board with assistance from Town's Engineer	Complete within 1 year of the effective date of permit
Erosion and sediment control	Update requirements for construction operators to implement a sediment and erosion control program	Planning Board with assistance from Town's Engineer	Complete within 1 year of the effective date of permit
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 with assistance from RPC	Complete within 1 year of the effective date of permit
Construction Ordinance/Bylaw	Review provisions for construction runoff control in Town's stormwater ordinance	Planning Board with assistance from RPC and Town's Engineer. Approval at Town	
Construction Regulations	Review erosion and sediment control provisions in Site Plan and Subdivision Regulations	Planning Board with assistance from RPC and Town's Engineer	Complete within 1 year of the effective date of permit
Pre-Construction/Coordination Meetings	Review pre-construction meeting provisions in Site Plan and Subdivision Regulations, as well as in Building Permit Application materials	Planning Board with participation from Town's Engineer and Building Inspector	Complete within 1 year of the effective date of permit

[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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
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 Board with information provided by Developer's engineer	Require submission of as-built plans for completed projects
Target properties to reduce impervious areas	Complete an inventory and priority ranking of permittee-owned property and existing infrastructure that could be retrofitted with BMPs designed to reduce the frequency, volume and pollutant loads of stormwater discharges to its MS4 through the mitigation of impervious area	Planning Board with assistance from the Town's Engineer	Complete 4 years after effective date of permit and report annually on retrofitted properties
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 Board with assistance from RPC AND TOWN ENGINEER	Complete 4 years after effective date of permit and implement recommendations of report
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 Board with assistance from RPC AND TOWN ENGINEER	Complete 4 years after effective date of permit and implement recommendations of report

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

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

#### MCM 6: Municipal Good Housekeeping and Pollution Prevention

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.1 for parks and open spaces, buildings and facilities, and vehicles and equipment	Town Administrator with materials from Town Engineer & Department	Complete and implement 2 years after effective date of permit	2020
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	Planning Board & Department Heads	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	Highway Department with assistance from Town Engineer	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	Town Administrator with assistance from Town Engineer & Department	Complete 2 years after effective date of permit	2020
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	Highway Department with assistance from Town's Engineer	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 curbed streets and permittee-owned parking lots in accordance with permit conditions	Highway Department	Sweep all curbed streets and permittee-owned parking lots once per year in the spring	2019
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	Highway Department with assistance from Town's Engineer	Implement salt use optimization during deicing season	2020

[illegible]

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

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, **enter your own text to override drop-down menus**. If submitting a NHDES approved alternative reduction plan, attach and submit it with the NOI.

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

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

**Part IV: Notes and additional information**

Use the space below to indicate the part(s) of 2.2.2 that you have identified as not applicable to your MS4 and provide all supporting documentation below or attach additional documents if necessary.

Provide any additional information about your MS4 program below.

\*Correspondence regarding Endangered Species is attached.

\*Existing Drainage System Map is attached

## 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 gathered and evaluated 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, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than 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:

Nancy J. Wrigley

Title:

Town Administrator

Signature:

**Nancy Wrigley**

Digitally signed by Nancy Wrigley  
Date: 2018.09.27 11:00:08 -04'00'

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



## 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:

September 26, 2018

Consultation Code: 05E1NE00-2018-SLI-3223

Event Code: 05E1NE00-2018-E-07541

Project Name: Newton Stormwater

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](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

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## Project Summary

Consultation Code: 05E1NE00-2018-SLI-3223

Event Code: 05E1NE00-2018-E-07541

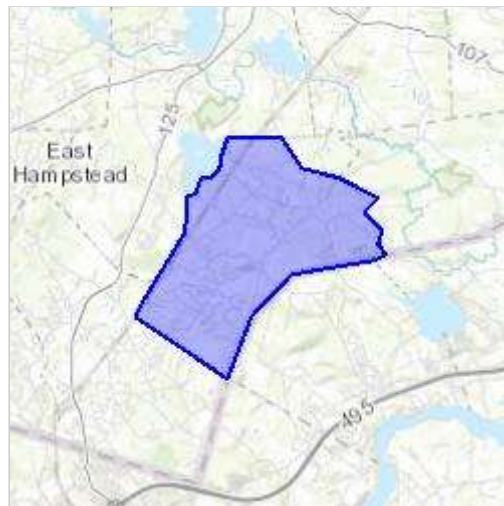
Project Name: Newton Stormwater

Project Type: \*\* OTHER \*\*

Project Description: Stormwater MS4 Permitting Compliance

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.86356418250541N71.03786378259028W>



Counties: Essex, MA | Rockingham, NH

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## 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 Fisheries<sup>1</sup>, 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.

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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: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Critical habitats

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

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