



Town of
Acton *Massachusetts*



STORMWATER MANAGEMENT PROGRAM PLAN

UPDATED June 2022



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1. STORMWATER PROGRAM OVERVIEW

WHY IS THIS IMPORTANT?

Stormwater runoff commonly transports pollutants through municipal separate storm sewer systems (MS4s), where it is discharged, often untreated, into local water bodies. To the public, the MS4 is more commonly known as a stormwater drainage system or simply as the "drain." These stormwater drains have been constructed in developed areas to reduce the risk of flooding and damage to our built infrastructure. Unfortunately, stormwater drainage systems carry pollution during rain events and snow melt – this can include oil, trash, and any other materials found on lawns, streets, and parking lots.

In the Town of Acton, stormwater runoff discharges that are conveyed by the MS4 to the environment are regulated under the Clean Water Act and require a permit. The Town of Acton is one of thousands of communities and institutions across the country that must comply with these regulations. The stormwater drainage system discharge permit is known as the "MS4 General Permit" and is issued and managed by both the U.S. Environmental Protection Agency (EPA) and the State of Massachusetts Department of Environmental Protection (MassDEP).

WHAT DOES ACTON HAVE TO DO?

The Town of Acton has had MS4 Permit coverage since 2003. As part of the permitting requirements, Acton is required to develop a written Stormwater Management Program (SWMP). This SWMP (Plan) is a "living" reference document that will guide the Town's implementation of requirements within the Permit. Acton is required to keep records of, and report on, the activities and measures that are implemented and consistent with this Plan. MS4 General Permit requirements are summarized (and simplified) as follows:



Implement public education programs to help Town residents, business owners, and developers understand their role in keeping stormwater clean.



Engage the public in decision-making throughout the program.



Find and fix leaky or unauthorized sanitary sewer lines that might be discharging into the drainage system.



Ensure that construction projects do not pollute runoff with sediments and debris.



Ensure that new development and redevelopment control and treat runoff before it leaves the property.



Engage in pollution prevention actions like road and parking area best practices (cleaning drainage systems and sweeping pavements), and ensure that municipal activities like vehicle washing, lawn maintenance, and materials storage do not contribute to stormwater pollution.



The Town of Acton is located within the Assabet River watershed. Two primary tributaries, Fort Pond Brook and the Nashoba River, flow through the community before discharging into the Assabet River. Acton also has several small kettle ponds, a man-made swimming pond at Nara Park and the Town borders Nagog Pond, which is the drinking water supply for Concord. Acton Department of Public Works maintains over 80 miles of drainage pipe, thousands of drainage structures, and discharges stormwater to the environment in hundreds of locations. Acton continues to strive at making improvements to its stormwater management program every year to protect its water resources.

1.1 CONTROL MEASURES AND MEASUREABLE GOALS

The MS4 General Permit is structured around the following six control measures (CMs).

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination (IDDE)
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention/Good Housekeeping

Permittees are required to prepare a SWMP describing specific actions they will implement to reduce stormwater pollution that align with the Permit requirements for each CM. These actions, called Best Management Practices (BMPs), are described in this Plan, along with the measurable goal for each BMP and deadline for development and implementation. Section 1.5 of this SWMP identifies the person(s) or department(s) responsible for the BMPs identified in this SWMP.

The Permit Year (PY) corresponds to each regulatory year starting on July 1, 2018. The original version of this SWMP, dated November 1, 2018, has been updated herein to reflect the Town of Acton's stormwater management program achievements through PY 4 (ending June 30, 2022). A revision log tracking these updates can be found in Appendix E.

SWMPs are made available for public access on the Town's website.



CM 1: Public Education and Outreach (Permit Part 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 Part Reference	Measurable Goal(s)	Deadline(s)
1.1	Develop public education program plan (Education and Outreach Plan)	2.3.2.a	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. <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	Post educational messages on the Town website. Maintain educational content throughout the Permit term.	End of PY 1
			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 2
			Distribute a minimum of 1 educational message to each of the 4 target audiences (residents, commercial, construction, industrial.)	End of PY 5
1.3	Deliver supplemental educational messages in areas that discharge to Total Phosphorus impaired waterbodies. (Assabet River – Segment ID: MA82B-06)	2.2.2.b.i.1	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 (March/April)
		& Appendix F Part A.V.	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, noting any existing regulations where appropriate.	Annual (June/July)



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
	and MA82B-07)		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.	Annual (Aug/Sept/Oct)
1.4	Deliver supplemental educational messages in areas that discharge to bacteria or pathogen impaired waterbodies (Assabet River – Segment ID: MA82B-07)	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, noting any existing regulations where appropriate.	Through-out 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
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
1.6	Deliver annual educational messages	Appendix H Part IV	For areas that discharge to Coles Brook with a chloride impairment, distribute 1 educational message to targeting salt applicators, and commercial and industrial site owners in Nov./Dec. timeframe of each Permit Year that pertains to the proper storage and application rates of winter deicing materials.	Annual



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

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

BMP ID #	BMP Description	Permit Part 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 Town website (following public notice requirements).	Annual



CM 3: Illicit Discharge Detection and Elimination (IDDE) (Permit Part 2.3.4)

Objective: Implement an IDDE program to systematically find and eliminate sources of non-stormwater discharges to its municipal separate storm sewer system and implement procedures to prevent such discharges.

BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
3.1	Conduct Sanitary Sewer Overflow (SSO) reporting and inventory	2.3.4.4	After identifying new SSOs, notify EPA within 24 hours and provide written notice to EPA and MassDEP within 5 days. <ul style="list-style-type: none">Document and file SSO reports and corrective measures implemented for annual reporting. Maintain database or summary of SSOs through Permit term.	Throughout Permit term
			Obtain and assess historic SSO reports. <ul style="list-style-type: none">Develop inventory of all identified SSOs (discharged to the MS4 within the past 5 years) indicating location, date/time, volume, suspected causes, and corrective measures.	End of PY 1
3.2	Continue MS4 system mapping	2.3.4.5	Phase I – Update the system map required by the MS4-2003 Permit to include: outfalls and receiving waters, open channel conveyances, interconnections with other MS4s and other storm sewer systems, municipally-owned stormwater treatment structures, waterbodies (name and use impairments), and initial catchment delineations.	End of PY 2
			Phase II – Update separate storm sewer system map annually, include information for all MS4 outfalls (catchments) within 10 years of the Permit effective date. <ul style="list-style-type: none">Update the system map annually as the following information becomes available during implementation of catchment investigation procedures: outfall spatial location, pipes, manholes, catch basins, refined catchment delineations, municipal sanitary sewer, and combined sewer systems (if available or applicable).	Update: Annual Info for all drainage infrastructure: End of PY 10
3.3	Develop written IDDE Program Manual	2.3.4.6	Develop a written IDDE Program document that includes at a minimum: <ul style="list-style-type: none">Legal authority, statement of responsibilities, outfall/interconnection inventory and initial priority ranking, outfall/interconnection screening and sampling procedures, follow-up ranking, catchment investigation procedures, illicit discharge confirmation and removal procedures, indicators or IDDE Program progress, ongoing screening, and training.	End of PY 1



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
		2.3.4.7.a & Appendix H	Designate catchments draining to any waterbody impaired for bacteria or pathogens as either Problem or High Priority catchments in implementation of the IDDE program. Also prioritize catchments that drain to surface public drinking water supplies and waterbodies with recreational use as High Priority.	End of PY 1
		2.3.4.8	<p>Outline Catchment Investigation Procedures: Develop a written systematic procedure to investigate each catchment associated with an outfall or interconnection within the MS4 system, that:</p> <ul style="list-style-type: none"> Identifies maps, historic plans and records, and other sources of data that will be used in identifying system vulnerability factors (SVFs) within each catchment. Includes a description of manhole inspection methodology that involves systematically and progressively observing, sampling, and evaluating key junction manholes to determine location of suspected illicit discharges and SSOs. Establishes procedures to isolate and confirm sources of illicit discharges. <p>Available data to be used for System Vulnerability Factors (SVF) shall be listed in the IDDE Program Manual.</p>	End of PY 1
3.4	Conduct dry weather Outfall/ Interconnection screening and sampling	2.3.4.7.b	<p>Conduct dry-weather Outfall/Interconnection screening annually to meet Permit requirement of all outfalls screened by the end of PY3.</p> <ul style="list-style-type: none"> Provide data annually. <p>Dry weather screening and sampling (no more than 0.1" of rainfall in past 24 hours):</p> <ul style="list-style-type: none"> Record condition and information for inventory and priority ranking. If flow, sample for ammonia, chlorine, conductivity, salinity, E. coli or enterococcus, surfactants, temperature, and pollutants of concern. If no flow but evidence of illicit flow exists, revisit within one week to perform screening/sampling. 	All outfalls screened by end of PY 3
3.5	Conduct wet weather Outfall/Interconnection screening and sampling	2.3.4.8	<p>Conduct wet-weather Outfall/Interconnection screening in catchments with System Vulnerability Factors prior to initiation of catchment investigation. Provide data annually.</p> <ul style="list-style-type: none"> Wet weather screening and sampling shall be conducted during or after a precipitation event of sufficient intensity to produce a discharge. Recommended in the Spring. Sample for ammonia, chlorine, conductivity, salinity, E. coli or enterococcus, surfactants, temperature, and pollutants of concern. 	Complete all wet-weather screening in identified catchments by end of PY 7



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
3.6	Reprioritize Outfalls and Interconnections	2.3.4.7.c	<p>Update IDDE Program Manual with refined prioritization based on applicable dry weather screening results in PY 3.</p> <p>Update outfall and interconnection ranking (2.3.4.7.a) based on information gathered during dry weather screening. Ranking can be updated continuously as new screening information becomes available.</p>	Update prioritization by end of PY 3
3.7	Conduct catchment investigations	2.3.4.8	<p>For each catchment, conduct investigations consistent with IDDE Program Manual; inspect key junction manholes and refine mapping information on the location of pipes, manholes, and extent of catchment.</p> <ul style="list-style-type: none">• Dry weather investigation in manholes: if flow, sample for ammonia, chlorine, and surfactants. If no flow, conduct sandbag placement during dry weather. Return for evidence of flow. Sample as needed.• Provide data annually.	<ul style="list-style-type: none">• Complete investigation of problem outfalls by end of PY 7• Investigate all catchments by end of PY 10
3.8	Conduct expeditious removal of verified sources of illicit discharge or SSO, and confirmatory screening	2.3.4.8	<p>Upon verification of an illicit discharge, locate, identify, and eliminate the illicit discharge as expeditiously as possible. Where elimination of an illicit discharge within 60 days is not possible, establish an expeditious schedule and report the dates of identification and schedule for removal in annual report.</p> <ul style="list-style-type: none">• Confirm removal of verified illicit discharges through dry (and/or wet) bracket sampling.	During Permit term, document annually
3.9	Evaluate the overall effectiveness of the IDDE Program	2.3.4.9	<p>Evaluate the overall effectiveness of the IDDE Program using the indicators for tracking program success as defined in the IDDE Program Manual. Indicators include: number of SSOs and illicit discharges identified and removed, number and percent of total catchments investigated, dry and wet weather screening and sampling results, and volume of sewage removed.</p> <ul style="list-style-type: none">• Provide evaluation of IDDE program annually via annual report.	During Permit term, document annually



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
3.10	Ongoing screening	2.3.4.10	Reprioritize each outfall and interconnection upon completion of all catchment investigations (2.3.4.8) and schedule ongoing screening once every 5 years that includes dry weather screening and sampling. Ongoing wet weather screening and sampling is also required at outfalls where previous wet weather screening was required due to SVFs. <ul style="list-style-type: none">Conduct outfall screening once every five years upon completion of all catchment investigations.	Upon completion of all catchment investigations, then ongoing screening once every 5 years
3.11	Conduct employee training	2.3.4.11	Provide annual training (at a minimum) to employees involved in the IDDE Program. Report on the frequency and type of employee training in annual report.	Annually (at a minimum)



CM 4: Construction Site Stormwater Runoff Control (Permit Part 2.3.5)

Objective: The objective of an effective construction stormwater runoff control program is to minimize or eliminate erosion on regulated construction sites within the regulated MS4 area and to ensure that sediments and other pollutants are not transported in stormwater from construction sites and allowed to discharge to a water of the U.S. through the MS4.

BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
4.1	Ensure construction stormwater runoff control ordinances, local site development, and wetland protection permit application process are consistent with MS4 General Permit	2.3.5.c.i.	<p>Review Town Stormwater Bylaw and regulations, wetland protection, and local permit application process to ensure that site development applicants meet Construction General Permit obligations.</p> <ul style="list-style-type: none">Continue to implement an effective construction stormwater runoff control program. An ordinance or other regulatory mechanism that requires the use of sediment and erosion control and waste management practices at construction sites that disturb greater than one acre (or common plan of development) was required to be in place by May 1, 2008 under the MS4-2003 Permit.Continue to require construction site operators performing land disturbance activities that exceed one acre (or common plan of development) to implement an erosion and sediment control program consistent with the Construction General Permit.	End of PY 1
4.2	Develop written construction site stormwater runoff control program procedures	2.3.5.c.ii. & 2.3.5.c.v.	<p>Develop written Construction and Post-Construction Program Manual.</p> <ul style="list-style-type: none">Include references to local ordinance/bylaw and regulations.Include procedures and workflow for site plan review, pre-construction review, receipt and consideration of information submitted by the public, inspections, responsible parties, and data tracking.Include procedures for enforcement of sediment and erosion control measures.Include procedures to consider potential water quality impacts to impaired waters, construction waste handling, and evaluation of opportunities for use of LID and green infrastructure.	End of PY 1
4.3	Track, inspect, and document applicable construction projects	2.3.5.c.v.	Track the number of site plan reviews, site inspections, and enforcement actions and include in annual report.	Throughout Permit term, annually



CM 5: Stormwater Management in New Development and Redevelopment (Post-Construction Stormwater Management) (Permit Part 2.3.6)

Objective: The objective of this control measure is to reduce the discharge of pollutants found in stormwater through the retention or treatment of stormwater on regulated new or redevelopment sites within the regulated MS4 area.

BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
5.1	Develop written post-construction stormwater runoff program procedures	2.3.6.a	<p>Develop written Construction and Post-Construction Program Manual.</p> <ul style="list-style-type: none">• Document procedures and workflow for site plan review, inspections, responsible parties, and data tracking.• Include references to Town Stormwater Bylaw and regulations.• During development of the Program Manual:<ul style="list-style-type: none">- Review Town Stormwater Control Ordinance/Bylaw and regulations and wetland protection and local permit application process to ensure that site development applicants meet Post-Construction General Permit obligations consistent with Permit requirements in Part 2.3.6.a (see BMP 5.2) and those related to management of Phosphorus and Bacteria in discharges to impaired waters.- Evaluate the effectiveness of Town Stormwater Control Bylaw related to Permit Part 2.3.6.a.iii requirements (see BMP 5.2).- Recommend and implement changes to Bylaw (or Regulations), as necessary.	End of PY 1
5.2	Update Local Bylaw (or regulations) on Stormwater Management in New & Redevelopment	2.3.6.a.ii	<p>Based on outcome of BMP 5.1, update the Bylaw or other regulatory mechanism (as needed).</p> <ul style="list-style-type: none">• Require LID site planning and design strategies be implemented to the maximum extent feasible.• Require that design of stormwater management systems be consistent with, or more stringent than, the requirements of the 2008 Massachusetts Stormwater Handbook.• Require that stormwater management systems on new development sites be designed to meet an average annual pollutant removal equivalent to 90% of the average annual load of Total Suspended Solids (TSS) and 60% of Total Phosphorus (TP) generated from the total post-construction impervious area on the site.• Require that stormwater management systems on redevelopment sites be designed to meet an average annual pollutant removal equivalent to 80% of the average annual load of TSS and 50% of TP generated from the total post-construction impervious area on the site.	End of PY 3



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
		2.3.6.a.iii & Appendix H Part II	<ul style="list-style-type: none">Require the submission of as-built drawings no later than 2 years after completion of construction projects. Document in the Annual Report the measures/procedures utilized to meet this requirement.Establish a mechanism to ensure that operation and maintenance (O&M) of BMPs will continue by dedicated accounts or funds, maintenance contracts, or assumed ownership of the BMPs. Document in the Annual Report the measures/procedures utilized to meet this requirement.Require that new development or redevelopment stormwater management BMPs be optimized for Phosphorus removal for areas that discharge to waterbodies with a Total Phosphorus impairment.	
5.3	Assess Local Standards	2.3.6.b	During review of Bylaw (or other regulatory mechanism) in PY 2 (see BMP 5.2). <ul style="list-style-type: none">Evaluate existing zoning or other municipal standards to determine if the requirements are stormwater-friendly, per Permit Part 2.3.6.b and 2.3.6.c.Recommend changes to zoning or other municipal standards.	End of PY 3
			Street Design and Parking Lot Requirements Assessment. <ul style="list-style-type: none">Develop a report assessing street design and parking lot requirements that affect the creation of impervious cover.Involve the local planning board and local transportation board and include recommendations for policies that will minimize impervious area (IA) attributable to parking areas and street designs, schedules for implementing recommendations, and subsequent assessment.Document status of the assessment and planned or completed changes to local regulations/guidelines in annual report.	End of PY 4, document status annually



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
		2.3.6.c	<p>Assessment of local regulation's effect on integration of infiltration/water reuse practices:</p> <ul style="list-style-type: none">• Develop a report assessing how local regulations affect the ability of development to include infiltration practices (e.g. green roofs, rain gardens, curb extensions, planter gardens, and porous & pervious pavement) and water harvesting devices (e.g. rain barrels and cisterns) that promote the use of stormwater for non-potable uses.• Create a schedule for revising regulations, if necessary.• Include this schedule, assessment findings, and progress towards making infiltration and water harvesting practices feasible in annual report.	End of PY 4, document status annually
5.4	Identify BMP Retrofits for Reduction of Impervious Area (IA)	2.3.6.d	<p>During municipal facility inventory conducted in PY 2 (BMP 6.1), identify sites with likely reconstruction activity during the Permit term. Where appropriate, these facilities with planned reconstruction shall include stormwater control measures.</p> <ul style="list-style-type: none">• Complete an inventory of at least 5 municipal properties/ roadways that could be modified through the reduction of IA by end of PY4 and include in annual report.• Retrofits to municipal properties with significant IA should be considered at a minimum.• Conduct retrofit assessment on facilities without planned improvements and within impaired watersheds (as applicable) in PY 4. Also see Part 1.2.1 Impaired Waters.• Continue to identify additional municipal properties/infrastructure that could be retrofitted such that a minimum of 5 sites are maintained in the inventory, until such a time as when there are less than 5 sites remaining. Update inventory annually beginning with PY 5 annual report.• Report on inventoried MS4 properties that have been retrofitted with BMPs that mitigate IA. Non-MS4 retrofitted properties may also be included. Report on retrofits annually beginning with PY 5 annual report.	End of PY 4 Annually starting PY 5



CM 6: Pollution Prevention and Good Housekeeping for Municipal Operations (Permit Part 2.3.7)

Objective: To implement a *Pollution Prevention & Good Housekeeping Program* for municipal operations that has a goal of preventing or reducing pollutant runoff and protecting water quality from all municipal operations and municipal facilities.

BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
6.1	Develop Operations & Maintenance (O&M) Program documentation	2.3.7.a	<p>Develop written O&M procedures per Part 2.3.7.a of the Permit.</p> <ul style="list-style-type: none">Develop Municipal Facility and Operations Stormwater Pollution Prevention Manual; inclusive of all Town facilities, drainage system operations activities, inspection obligations, and including specific impaired waters provisions. Program procedures shall include the following:<ul style="list-style-type: none">Municipal Facilities/Equipment Inventory by watersheds/catchmentsIdentify sites with likely reconstruction activity during the Permit term. Where appropriate, these facilities with planned reconstruction shall include stormwater control measuresMunicipal Infrastructure Maintenance: Street Sweeping and Catch Basin CleaningRoad Salt Use and OptimizationStormwater Treatment Structures O&MLandscape MaintenanceReport on status of inventory and program documentation.	End of PY 2
6.2	Implement O&M Program	2.3.7.a	Report on status of O&M programs, maintenance activities, best practices, and provide documentation in annual report consistent with reporting requirements outlined in 2.3.7.a.	End of PY 2, document status annually
6.3	Develop/Refine Stormwater Pollution Prevention Plan (SWPPP) for maintenance garages, public works yards, transfer stations, and waste handling facilities	2.3.7. b	Develop SWPPP (and SPCC as needed) for maintenance garage, public works yard, transfer station, and waste handling facilities. SWPPP shall include the elements listed in 2.3.7.b. ii. Keep all records associated with the development and implementation of the SWPPP. Report status of SWPPP annually.	End of PY 2, document annually thereafter
6.4	Conduct site inspection procedures consistent with SWPPP for maintenance garages, public works yards, transfer stations, and waste	2.3.7.b.iii.	Inspect all areas exposed to stormwater and all stormwater control measures at each facility at least once per calendar quarter and report findings in annual report.	Once per quarter upon completion of BMP 6.3, document



BMP ID #	BMP Description	Permit Part Reference	Measurable Goal(s)	Deadline(s)
	handling facilities			annually.
6.5	Conduct employee training program consistent with SWPPP	2.3.7.h.	Conduct employee training consistent with SWPPP.	Every other Permit Year



1.2 WATER QUALITY STANDARDS

1.2.1 Impaired Waters

Discharges to waterbodies with approved Total Maximum Daily Load (TMDL) or to water quality limited water bodies, or discharges causing or contributing to impairment have additional requirements in Parts 2.1, 2.2, and Appendix F of the MS4 General Permit. According to the MassDEP's 2016 Integrated List of Waters, the Town of Acton's MS4 discharges to waterbodies that are considered impaired and that have an approved TMDL. A list of impaired waters that are within the Town of Acton and their impairment causes is provided in Table 1-1 in this section. A map showing MassDEP's 2018/2020 Integrated Waters located in the Town of Acton is provided in Appendix C of this SWMP.

The Town of Acton is located within the Assabet River watershed. The Assabet River has a TMDL for Total Phosphorus and the 2016 MS4 General Permit lists Acton as a community with required phosphorus load reductions. Additional requirements associated with this TMDL have been incorporated into the BMPs listed in Section 1.1 and are also summarized below:

- 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, noting any existing regulations where appropriate; and
 - 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).

There are other waterbodies within Acton that are impaired for pollutants but do not have an approved TMDL. For the areas within the Town that directly discharge to bacteria or pathogen impaired waterbody segments without an approved TMDL, there are additional BMPs that have been established in Parts 2.1, 2.2, and Appendix H of the MS4 General Permit. A description of the BMPs and measurable goal(s) associated with these requirements have been integrated into Section 1.1 of this SWMP and are summarized below:

- For the areas that discharge to waters that are impaired by bacteria or pathogens but do not have an approved TMDL (Assabet River, Nashoba Brook, and Coles Brook):



- 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.

The 2018/2020 Massachusetts Integrated List was drafted in November 2021, and it was approved by the EPA on February 2, 2022. The PY4 SWMP Update required a review of the 2018/2020 Massachusetts Integrated List to revise Table 1-1 below. While most of the changes did not affect the BMP tables under Section 1.1 of the PY4 SWMP Update, the chloride impairment for Coles Brook now requires compliance with Appendix H Part IV of the MS4 Permit. The Town of Acton has three years (February 2, 2025) to complete a Salt Reduction Plan, and five years to implement the plan (February 2, 2025). Therefore, the information below was revised in June 2022.

- For the areas that discharge to Coles Brook that are impaired by chloride but do not have an approved TMDL:
 - Develop a Salt Reduction Plan that contains actions to reduce salt on municipal roads and facilities, and on private facilities that discharge to its MS4 in impaired catchment and submit the Salt Reduction Plan to the EPA by the end of PY3.
 - Provide implementation information from the Salt Reduction Plan on each annual report.
 - Update the Salt Reduction Plan as needed in accordance with Appendix H Part IV. 3. and 4.
 - Establish a bylaw or other regulatory mechanism to prevent exposure from precipitation and runoff from any salt stockpiles at all commercial and industrial properties.
 - Provide an annual message in November/December to private road salt applicators and commercial and industrial site owners on the proper storage and application rates of winter deicing materials.

There are no additional requirements associated with excess dissolved oxygen beyond analyzing samples for these parameters during outfall/interconnection screening activities. In addition, there are no monitoring requirements for water chestnut, and curly-leaf pondweed.



Table 1-1: Impaired Waters in Acton, MA (Based on Approved 2018/2020 Integrated List)

Waterbody	Segment ID	Segment Length/Location	TMDL	Impairment Category Classification	Impairment Cause	TMDL Control No.	Analytical Method* (Permit Appendix G)
Assabet River	MA82B-06	1.22 miles From the USGS gage at Routes 27/62, Maynard to the Powdermill Dam, Acton.	Yes	5	Curly-leaf Pondweed		Contact MassDEP
					Fanwort		Contact MassDEP
					Water Chestnut		Contact MassDEP
					Dissolved Oxygen	(35108) 201.0	365.1; 365.2; 365.3
					Other Organics		Contact MassDEP
					Unspecified Metals in Sediment		Contact MassDEP
Assabet River	MA82B-07	6.402 miles From the Powdermill Dam, Acton to the confluence with the Sudbury River, Concord.	Yes	5	Fecal Coliform		1106.1; 1600
					E. Coli		1103.1; 1603; Colilert® 12 16, Colilert-18® 12 15 16; mColiBlue-24® 17.
Nashoba Brook	MA82B-14	9.411 miles From source just south of Route 110 in Westford to confluence with Fort Pond Brook, Concord.	No	5	Dewatering		
					E. Coli		1103.1; 1603; Colilert® 12 16, Colilert-18® 12 15 16; mColiBlue-24® 17.
					Temperature		No monitoring required
Coles Brook	MA82B-22	Headwaters, east of Francine Road, Acton to mouth at confluence with Fort Pond Brook, Acton.	No	5	E. Coli		1103.1; 1603; Colilert® 12 16, Colilert-18® 12 15 16; mColiBlue-24® 17.
		Headwaters, east of Francine Road, Acton to mouth at confluence with Fort Pond Brook, Acton.	No	5	Chloride		300

Note: Future reissuance and/or approval of the Massachusetts Integrated List of Waters may necessitate additional modifications to this Plan to maintain compliance with applicable requirements.



1.2.2 Surface Public Drinking Water Supplies

The Town of Acton has surface public drinking water supply sources within the regulated MS4 area. The surface public drinking water supply sources within the Town includes Nagog Pond, as shown on the figure in Appendix C. There is one known direct stormwater discharge (<350') to public surface drinking water supplies. This discharge location includes a detention basin prior to discharge into Nagog Pond. The Town will continue to take measures to minimize impacts to surface public drinking water supply sources through the use of the BMPs discussed in Section 1.1 and 1.2 of this SWMP.

1.2.3 Increased Discharges

The Town of Acton shall comply with the provisions of 314 CMR 4.04 including information submittal requirements and obtaining authorization for increased discharges where appropriate. Any authorization of an increased discharge by MassDEP shall be incorporated within this SWMP.

There shall be no increased discharges, including increased pollutant loading(s) from the MS4 to impaired waters listed in categories 5 or 4b on the most recent Massachusetts Integrated Report of waters listed pursuant to Clean Water Act Section 303(d) and 305(b) unless the discharger demonstrates that there is no net increase in loading from the MS4 to the impaired water of the pollutant(s) for which the waterbody is impaired.

Unless otherwise determined by the U.S. EPA or by MassDEP, compliance with the Part 2.2.2 and 2.3.6 requirements of the MS4 General Permit, including all reporting and documentation requirements, are considered as demonstrating no net increase or increased discharge. Part 2.2.2 and 2.3.6 requirements have been included in the BMPs outlined in Section 1.1 of this SWMP.

If necessary, the Town of Acton will demonstrate compliance with this provision by either:

- Documenting that the pollutant(s) for which the waterbody is impaired is not present in the MS4's discharge and retaining documentation of this finding with the SWMP; or
- Documenting that the total load of the pollutant(s) of concern from the MS4 to any impaired portion of the receiving water will not increase as a result of the activity and retaining documentation of this finding in the SWMP.



1.3 ELIGIBILITY DETERMINATIONS

Consistent with Part 1.9 of the 2016 MS4 General Permit, the Town of Acton has completed an assessment of both Endangered Species and Historic Properties. It has been determined that there will be no impact as a result of stormwater program implementation. If, during the course of Permit implementation, the Town initiates a project that will result in ground or vegetation disturbance, additional consultation with the appropriate agencies will be initiated. See Appendix B for determination letters.

1.4 ANNUAL PROGRAM SELF-EVALUATION, RECORD KEEPING & ANNUAL REPORTING

Covered entities are required to collect and report information about the development and implementation of their Stormwater Management Program (SWMP). The Town of Acton conducts annual evaluations of its program compliance, the appropriateness of its identified Best Management Practices (BMPs), meeting new Permit requirements, and progress towards achieving its identified measurable goals, which include reducing the discharge of pollutants to the maximum extent practicable ("MEP").

The Town of Acton will keep records required by the MS4 General Permit for at least five (5) years after they are generated. Records include, but not limited to: information used in the development of any written (hardcopy or electronic) program required by this Permit, any monitoring results, copies of reports, records of screening, follow-up and elimination of illicit discharges; maintenance records; inspection records; and data used in the development of the notice of intent, SWMP, SWPPP, and annual reports. Records will be available for public observation as requested. Records will be submitted to the EPA or MassDEP as requested.

Annual reports are due to the EPA and MassDEP each year within 90 days of the close of the Permit Year on June 30. The annual reports shall include the following content:

- Self-assessment review of compliance with Permit conditions;
- An assessment/evaluation of:
 - The appropriateness of the identified BMPs
 - Progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP
 - The identified measurable goals for each of the CMs
- All outfall screening and sampling results;
- Summary of stormwater activities planned to be undertaken during the next reporting cycle;
- Any change in identified BMPs or measurable goals and justification for those changes; and
- The information specified under the reporting requirements for each CM.

Changes to the Town's stormwater Permit compliance program do not need to be updated in their NOI, however, this information will be included in the Town's annual reports and SWMP updates. Annual reports are also made available for public access on the Town's and the EPA's website.



1.5 RESPONSIBLE PARTIES FOR STORMWATER PROGRAM IMPLEMENTATION

Title/ Position of Responsible Person	Name of Responsible Person	Role/Program Element(s)
Director of Public Works	Corey York	CM 1, 2, 3, 5 (Retrofitting and O&M) and 6
Planning Director	Kristen Guichard	CM 4, and 5
Town Engineer	QinRui Pang	CM 4 (Site Plan Review and Stormwater Friendly Code Assessment)
Health Department Director	Sheryl Ball	CM 3 (SSO Inventory)
Conservation Agent	Mike Gendron	CM 1, 4, and 5
Sustainability Director	Andrea Becerra	CM 1, and 2



2. PROGRAM DOCUMENTS: PLANS, PROCEDURES, INVENTORIES, AND MAPS

The Permit requires certain documents to be included in the SWMP. These documents will be developed consistent with the schedule outlined in Section 1.1. This Section provides information on where these documents can be accessed. Some of these documents have been appended to this SWMP, while others are provided in a location external to the SWMP due to size or complexity. All of the following documents will be retained in hard copy format at the Acton Town Hall – Land Use Department unless otherwise noted.

2.1 IDDE PROGRAM

2.1.1 IDDE Program Manual

The Town has developed a written IDDE Program Manual consistent with the requirements of Part 2.3.4.6 of the MS4 General Permit. The IDDE Manual includes:

- Responsible parties
- Regulatory authority
- Dry weather and wet-weather outfall screening and sampling procedures
- Interconnection screening procedures
- Initial assessment and priority ranking of outfalls/interconnections
- Catchment investigation procedures
- Enforcement procedures
- Training resources and modules

The IDDE Program Manual can be accessed at the Department of Public Works.

2.1.2 Separate Storm Sewer System Map

The Town has developed a Separate Storm Sewer System Map and an Impaired Waters Map consistent with the requirements of Part 2.3.4.5.a of the MS4 General Permit. The maps, provided in Appendix A, and Appendix C of this SWMP, includes the following information:

- Outfalls and receiving waters
- Open channel conveyances
- Interconnections with other MS4s and other storm sewer systems
- Municipally-owned stormwater treatment structures
- Waterbodies identified by name and indication of all use impairments per the most recent Massachusetts Integrated List of Waters report
- Initial catchment delineations
- Drain pipes, manholes, and catch basins



The map will be updated annually and/or upon receipt of new information relating to the MS4 drainage network.

2.1.3 SSO Inventory

The Town has developed a Sanitary Sewer Overflow Inventory consistent with the requirements of Part 2.3.4.4 of the MS4 General Permit. The inventory can be accessed at the Department of Public Works and is included in the Town's Annual Report.

2.1.4 Receiving Waterbodies

Consistent with the requirements of Part 1.10.2 of the MS4 General Permit, a list of all Integrated List waterbody segments that receive discharge from the Town's MS4 is provided in Table 1-1. The Town's MS4 General Permit Notice of Intent submission to the EPA dated September 19, 2018 included the estimated number of outfalls that discharge directly to each Integrated List waterbody segment. A copy of the original NOI can be accessed on the EPA's website. Any updates to the numbers reported in the NOI will be included in future revisions of this document, if necessary.

2.1.5 Interconnected Separate Storm Sewer Systems

Consistent with the requirements of Part 1.10.2 of the MS4 General Permit, a list of all known interconnected MS4s and other separate storm sewer systems receiving a discharge from the Town's MS4, as well as the waterbody segment(s) that ultimately receive the discharge, are shown on the updated Separate Storm Sewer System Map in Appendix A.

2.2 CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT PROGRAM

2.2.1 Site Plan Review, Site Inspection, and E&SC Procedures

Consistent with the requirements of Part 2.3.5 of the MS4 General Permit, the Town has developed written procedures for site plan review, site inspections, and enforcement of sediment and erosion control measures. These procedures can be accessed at the Department of Public Works.

2.2.2 New Development/Redevelopment Ordinance

Consistent with the requirements of Part 2.3.6.a.iii of the MS4 General Permit, the Town has developed a regulatory mechanism, Chapter X of the General Bylaws of the Town of Acton, titled *Stormwater Management and Erosion & Sediment Control*, to require submission of as-built drawings and ensure long-term operation and maintenance of post-construction stormwater BMPs. These regulations can be accessed at the Department of Public Works or via the Town's website.

2.2.3 Street Design and Parking Lot Report

Consistent with the requirements of Part 2.3.6.b and 2.3.6.c. of the MS4 General Permit, the Town will develop a report assessing current street design,



parking lot guidelines, and other “code” requirements to ensure that the creation of impervious cover is minimized, and that innovative stormwater management is not constrained by local code. This report will be developed in Permit Year 4.



2.2.4 Green Infrastructure Report

Consistent with the requirements of Part 2.3.6.c of the MS4 General Permit, the Town will develop a report assessing how local regulations affect the ability of development projects to include infiltration practices (e.g. green roofs, rain gardens, curb extensions, planter gardens, and porous and pervious pavement) and water harvesting devices (e.g. rain barrels and cisterns) that promote use of stormwater for non-potable uses.

In June 2019, the Town adopted Chapter X of the General Bylaws of the Town of Acton, titled *Stormwater Management and Erosion & Sediment Control*, which contains language intended to encourage the use of low impact development (LID) design strategies. The Town's green infrastructure report will include an assessment of these Chapter X standards and various other Town regulations. This report will be developed in Permit Year 4.

2.2.5 Retrofit Properties Inventory

Consistent with the requirements of Part 2.3.6.d of the MS4 General Permit, the Town will develop a report assessing their existing stormwater BMPs, identifying sites where impervious areas can be reduced, and assessing the likelihood and potential impacts of completing such retrofits. This report will be developed in Permit Year 4.

2.3 MUNICIPAL FACILITIES AND OPERATIONS PROGRAMS

2.3.1 Inventory of Municipal Facilities and Equipment

The Town has developed a facility inventory consistent with the requirements of Part 2.3.7.a.ii of the MS4 General Permit. The inventory includes municipally-owned:

- Parks and open space
- Buildings where pollutants are exposed to runoff (e.g., schools, town offices, fire stations, garages, etc.)
- Vehicle and equipment storage areas

The inventory can be accessed at the Department of Public Works.

2.3.2 Operations and Maintenance Standard Operating Procedures

The Town has developed written Operations and Maintenance Standard Operating Procedures (O&M SOPs) consistent with the requirements of Part 2.3.7.a of the MS4 General Permit. The objective of the O&M SOPs is to establish procedures for MS4 infrastructure maintenance and municipal facilities that would help reduce discharge of pollutants. The O&M SOPs include:

- Catch basin inspection, cleaning and maintenance procedures, and a plan for optimization of these routine activities



- Street sweeping and cleaning procedures to ensure all Town-owned roadways are swept at least once per year
- Management and disposal of catch basin cleanings and street sweepings to avoid discharge into receiving waters
- Winter road maintenance procedures targeting minimal use and proper storage of sodium chloride and other salts
- Stormwater treatment structure inspection and maintenance procedures
- Spill response and cleanup
- Storing and handling hazardous materials
- Fuel and oil handling
- Storing and using pesticides and fertilizers
- Operating and maintaining vehicles and equipment

The O&M SOPs can be accessed at the Department of Public Works.

2.3.3 Stormwater Pollution Prevention Plan

The Town has developed a written Stormwater Pollution Prevention Plan (SWPPP) for the Department of Public Works and Transfer Station Facility, consistent with the requirements of Part 2.3.7.b of the MS4 General Permit. The SWPPP includes:

- Pollution and prevention team
- Description of the facility and identification of potential pollutant sources
- Identification of stormwater controls
- Material exposure prevention, good housekeeping, preventative maintenance, spill prevention and response, erosion and sediment control, management of runoff, salt storage pile or salt-containing pile management, employee training, and maintenance of control measure practices

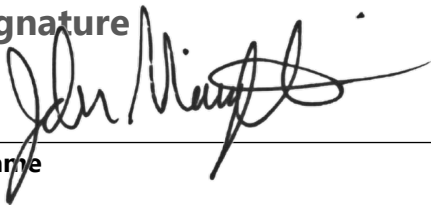
The SWPPP can be accessed at the Department of Public Works.



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 am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature



Name

Date

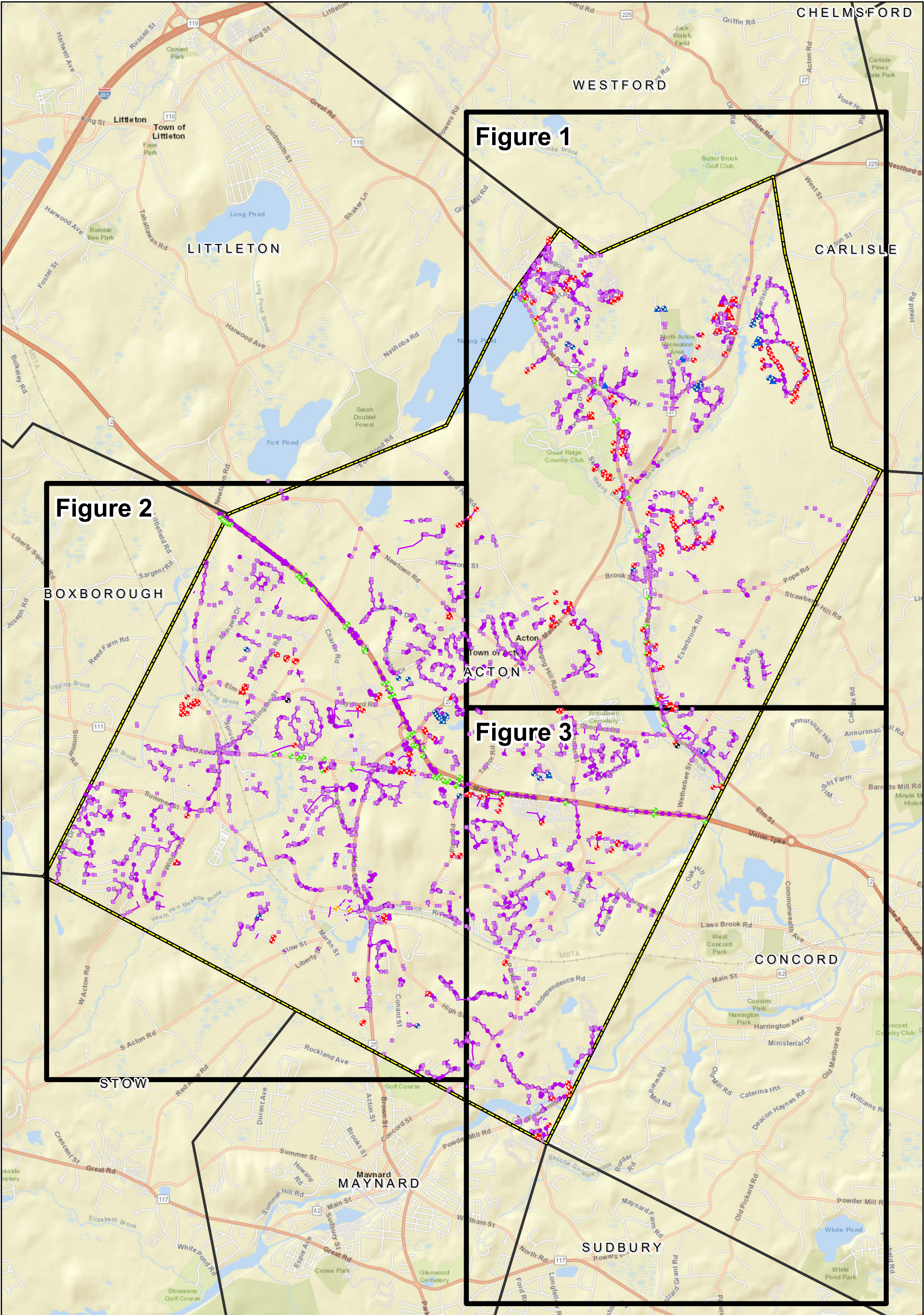
7/2/2022



Appendices



APPENDIX A: SEPARATE STORM SEWER MAP



Stormwater Collection System Overview

Town of Acton, MA

Key Map

Legend

Outfall Ownership

- Acton
- MassDOT
- Other
- Private
- Unknown

- Drain Catch Basin
- Drain Pipe
- Drain Manhole

Stormwater BMPs Ownership

- Acton
- Private

- Urbanized Area
- Acton Boundary
- <all other values>

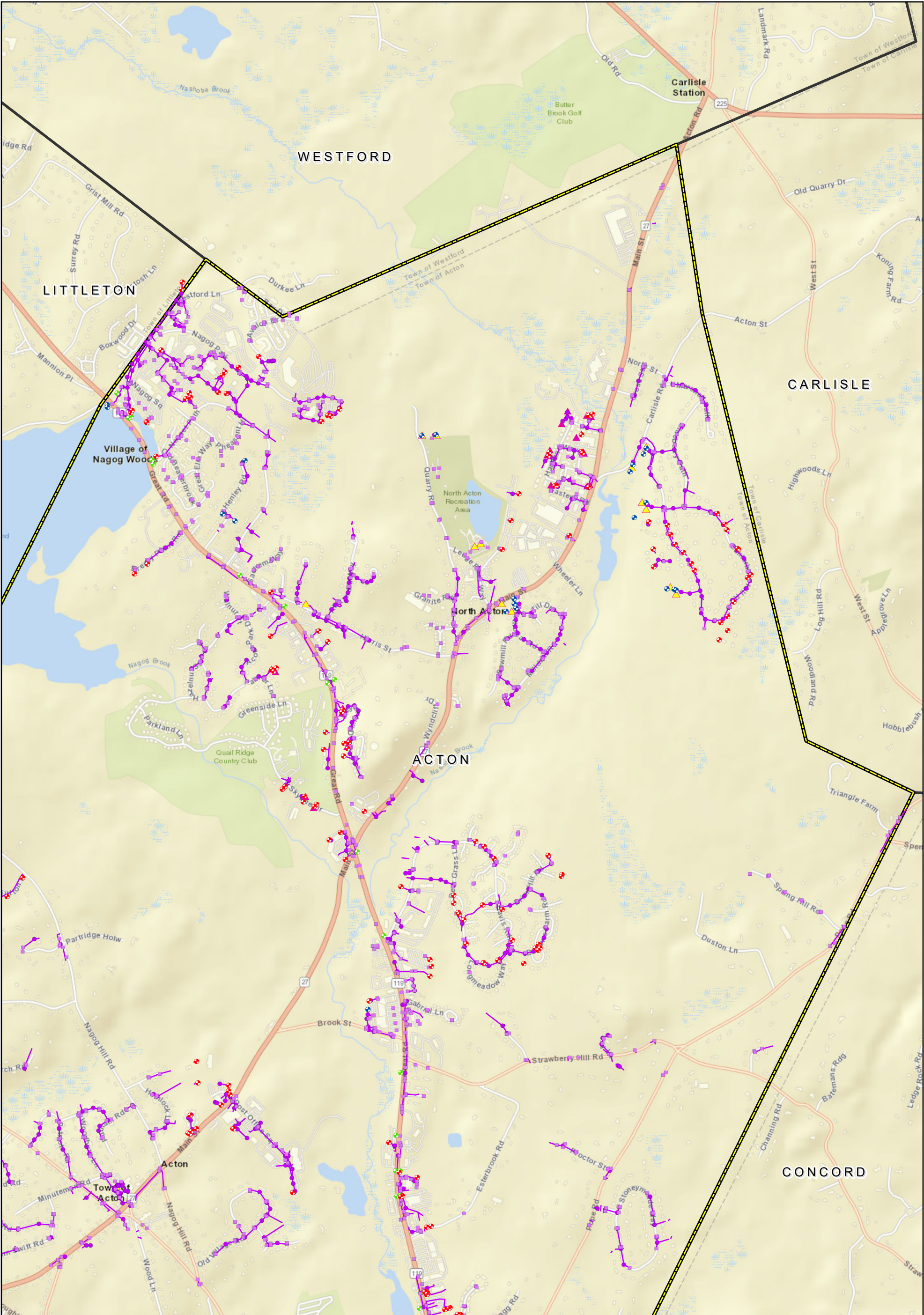


Map Created: June 2022

0 0.25 0.5 1 Miles

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: MassGIS, MassDEP

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Stormwater Collection System Overview

Town of Acton, MA

Figure 1

Legend

Outfall Ownership

- Acton
- MassDOT
- Other
- Private
- Unknown

- Drain Catch Basin
- Drain Pipe
- Drain Manhole

Stormwater BMPs Ownership

- Acton
- Private

- Urbanized Area
- Acton Boundary
- <all other values>

0 0.13 0.25 0.5 Miles



Map Created: June 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: MassGIS, MassDEP

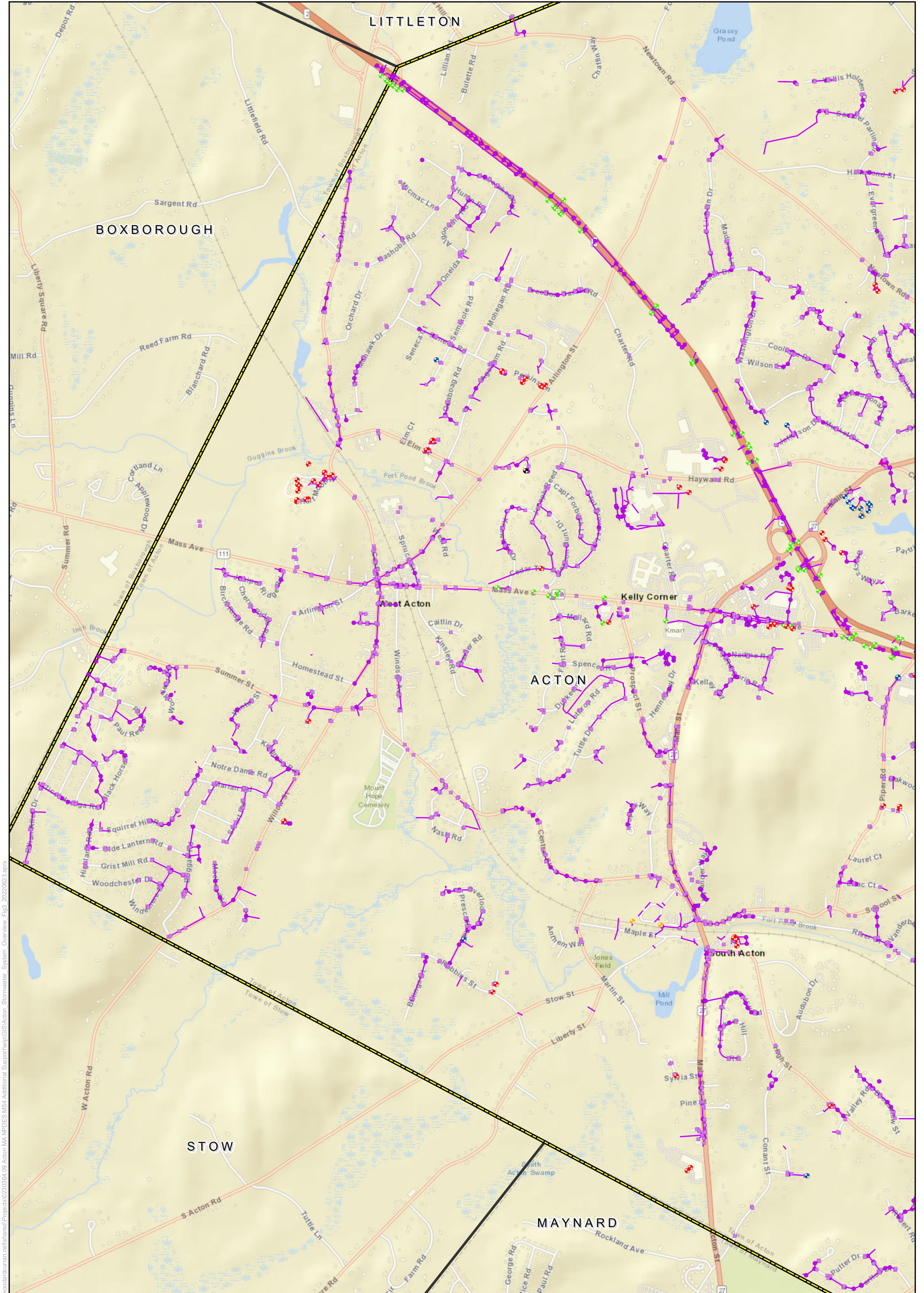


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Stormwater Collection System Overview

Town of Acton, MA

Figure 2

Legend

Outfall

Ownership

- Acton
- MassDOT
- Other
- Private
- Unknown

Drain Catch Basin

Drain Pipe

Drain Manhole

Stormwater BMPs

Ownership

- Acton
- Private

Urbanized Area

Acton Boundary

<all other values>

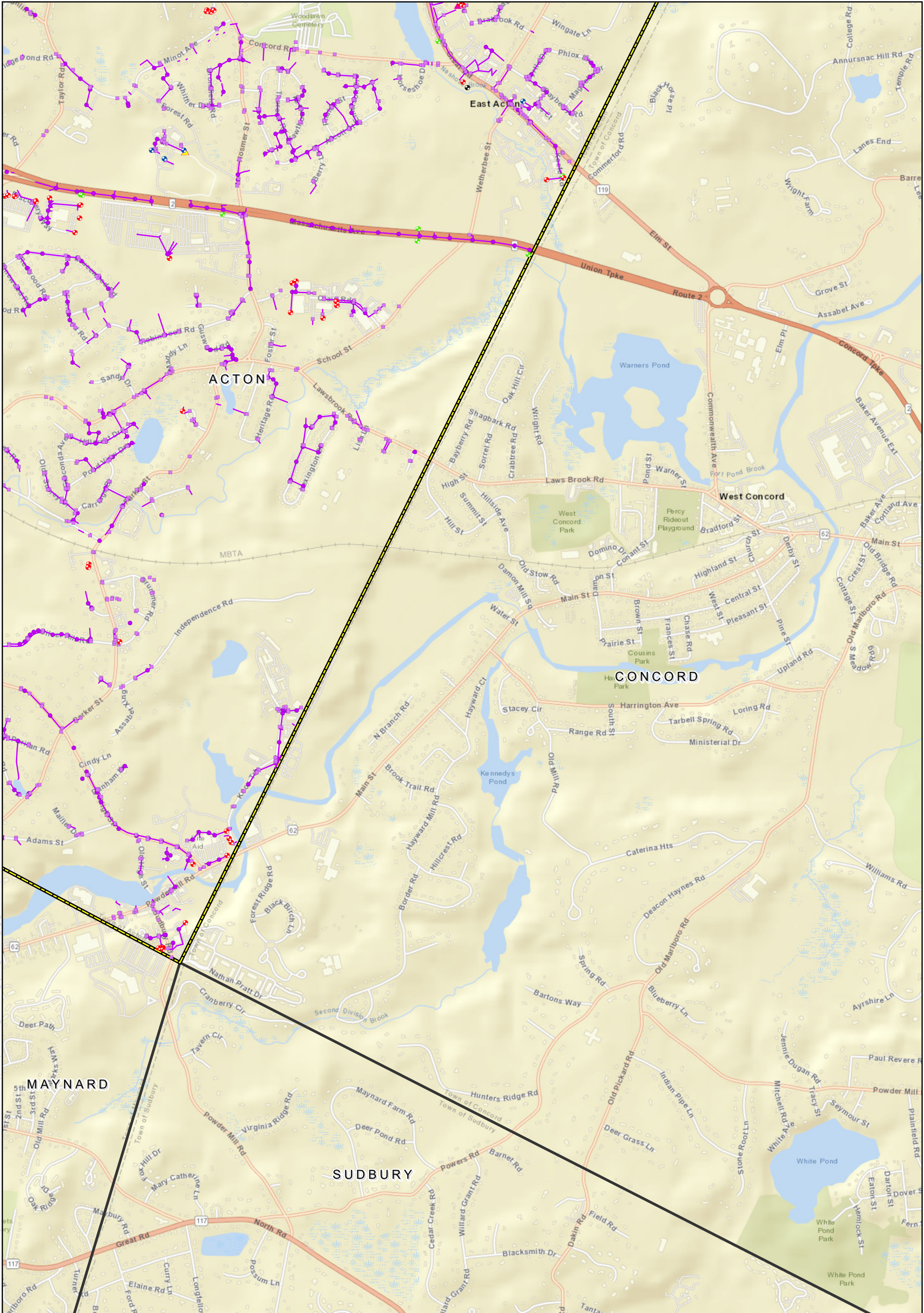


Map Created: June 2022

0 0.13 0.25 0.5 Miles

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. Data Sources: MassGIS, MassDEP

Figure Exported: 9/23/2022 By: jmonts Using: \\woodardcurran.net\shared\Projects\0230364.09 Acton MA NPDES MSA Additional Support\GIS\Acton Stormwater System Overview_Fig3_20220623.aprx



Stormwater Collection System Overview

Town of Acton, MA

Figure 3

Legend

Outfall Ownership

- Acton
- MassDOT
- Other
- Private
- Unknown

Stormwater BMPs Ownership

- Acton
- Private

- Urbanized Area
- Acton Boundary
- <all other values>

0 0.13 0.25 0.5 Miles



Map Created: June 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. **Data Sources:** MassGIS, MassDEP



APPENDIX B: SPECIAL ELIGIBILITY DETERMINATION LETTERS



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6630
Fax (978) 929-6340

September 4, 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 Acton, MA Associated with the MA MS4 General Permit

Dear Mr. Newton Tedder:

The Town of Acton, 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 Acton, 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 is one threatened species within the proposed project area (Northern Long-Eared Bat) and no critical habitat. Please see Attachment 1 as the official species list.

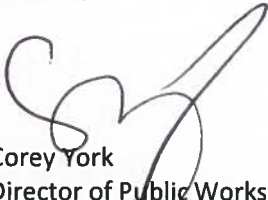
The proposed stormwater program activities are a continuation of previous permitted activities and include non-structural management of stormwater runoff as required by the MA MS4 General Permit. These activities will include education, investigation, and pollutant source control on existing municipal facilities and roadways and will not disturb terrestrial vegetation. The 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 within the MS4 General Permit, the Town of Acton 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 Acton's stormwater management program.

Sincerely,

A handwritten signature in black ink, appearing to read 'Corey York', with a large, stylized flourish extending from the end.

Corey York
Director of Public Works
Town of Acton
(978) 929-6630
cyork@acton-ma.gov



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 28, 2018

Consultation Code: 05E1NE00-2018-SLI-1625

Event Code: 05E1NE00-2018-E-06810

Project Name: Acton MS4 General Permit Program Implementation

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: 05E1NE00-2018-SLI-1625

Event Code: 05E1NE00-2018-E-06810

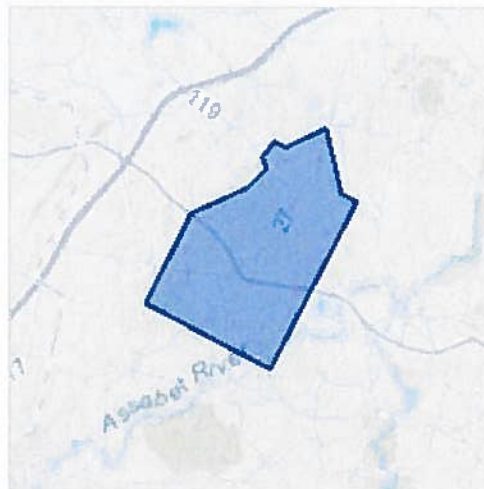
Project Name: Acton MS4 General Permit Program Implementation

Project Type: Regulation Promulgation

Project Description: The proposed stormwater program activities are a continuation of previous NPDES 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. The program will be initiated on July 1, 2018 and continue until July 1, 2023.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.48518191132919N71.44043027919871W>



Counties: Middlesex, MA

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

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

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

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

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

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

Critical habitats

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



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6630
Fax (978) 929-6340

September 24, 2018

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

The Town of Acton (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 Town of Acton 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.

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

Sincerely,



Corey York
Director of Public Works
Town of Acton
(978) 929-6630
cyork@acton-ma.gov



APPENDIX C: IMPAIRED WATERS AND SPECIAL RESOURCE WATERS

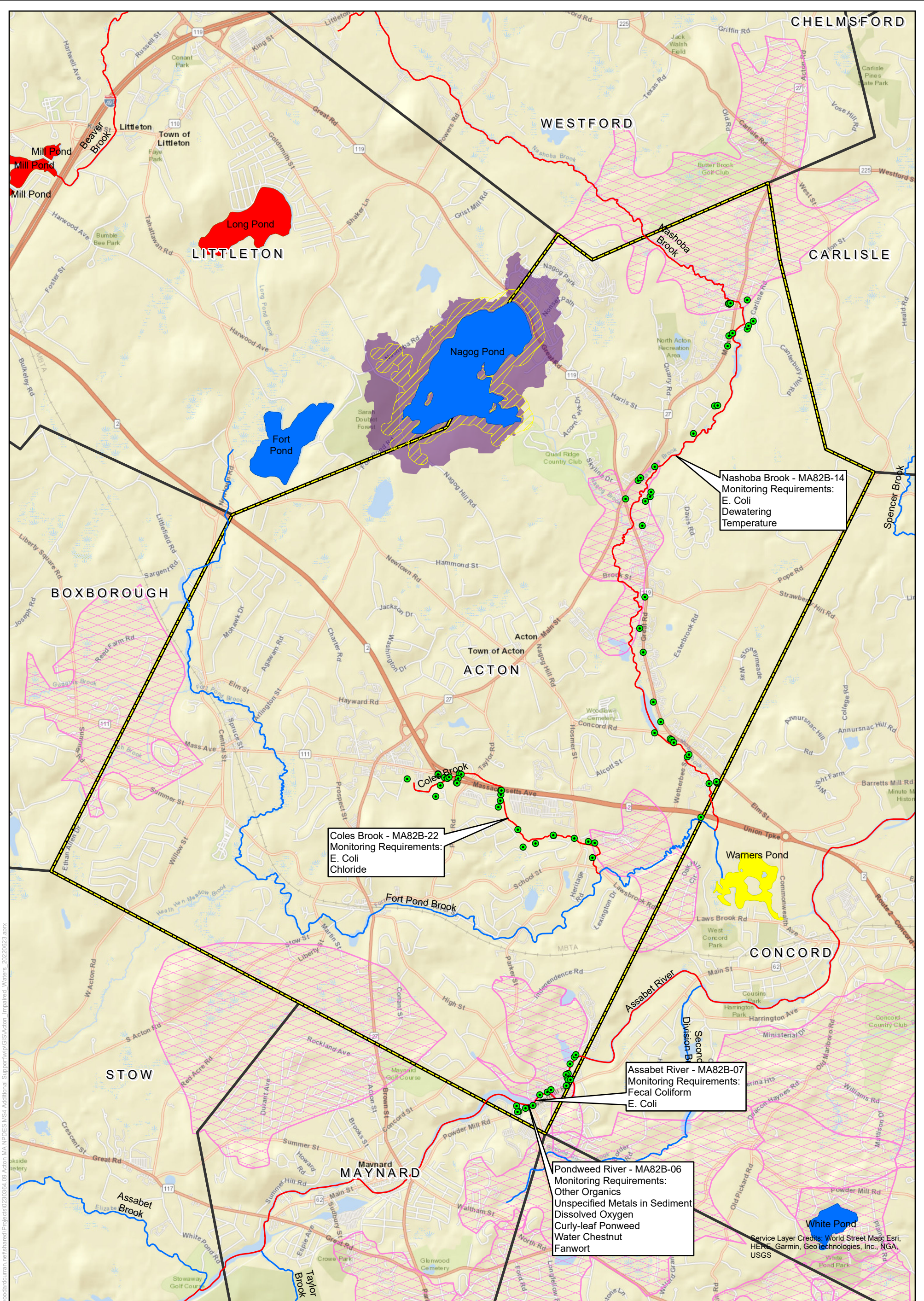


Figure Exported: 6/23/2022, By: jmonts Using: \\woodardcurran.net\shared\Projects\0230364_09 Acton MA NPDES MSA Additional Support\GIS\Acton Impaired Waters 20220623.aprx

**Town of Acton
Water Resources**
Town of Acton, MA

Legend

- swOutlet_IL2016_DirectDischarge Stormwater Outfalls with Direct Discharge Into Impaired Waters
- Surface Water Protection Area - Zone A
- Acton Boundary
- <all other values>
- Outstanding Resource Waters
- MassDEP Approved Zone IIs

- 2018/2020 Integrated List Waters - 305(b)/303(d)
Category**
- 2 - Attaining some uses; other uses not assessed
 - 3 - No uses assessed
 - 4A -Impaired - TMDL is completed
 - 4C - Impairment not caused by a pollutant
 - 5 - Impaired - TMDL required



Map Created: June 2022

Third Party GIS Disclaimer: This map is for reference and graphical purposes only and should not be relied upon by third parties for any legal decisions. Any reliance upon the map or data contained herein shall be at the users' sole risk. **Data Sources:** MassGIS, MassDEP



APPENDIX D: DEFINITIONS



Definitions, Abbreviations and Acronyms

Best Management Practices (BMPs) - Schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Common Plan of Development - A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan. For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, this activity still would be subject to stormwater permitting requirements if the smaller plots were included on the original site plan.

Control Measure - Refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

Discharge - When used without qualification, means the "discharge of a pollutant."

Discharge of a Pollutant - Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source". This includes additions of pollutants into waters of the United States from surface runoff which is collected or channeled by man; or discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works.

Discharge-related Activities - Activities which cause, contribute to, or result in stormwater and allowable non-stormwater point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Disturbance - Action to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

Existing Discharger - An operator applying for coverage under this Permit for discharges covered previously under an NPDES general or individual permit.

Facility or Activity - Any NPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the NPDES program.

Illicit Discharge - Any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities.



Impaired Water - A water is impaired if it does not meet one or more of its designated use(s). For purposes of this Permit, "impaired" refers to categories 4 and 5 of the five- part categorization approach used for classifying the water quality standards attainment status for water segments under the TMDL program. Impaired waters compilations are also sometimes referred to as "303(d) lists." Category 5 waters are impaired because at least one designated use is not being supported or is threatened and a TMDL is needed. Category 4 waters indicate that at least one designated use is not being supported but a TMDL is not needed (4a indicates that a TMDL has been approved or established by EPA; 4b indicates other required control measures are expected in result in the attainment of water quality standards in a reasonable period of time; and 4c indicates that the non- attainment of the water quality standard is the result of pollution (e.g. habitat) and is not caused by a pollutant). See USEPA's 2006 Integrated Report Guidance, July 29, 2005 for more detail on the five part categorization of waters [under EPA National TMDL Guidance <http://www.epa.gov/owow/tmdl/policy.html>]].

Impervious Surface - Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using non porous material; buildings, rooftops, structures, artificial turf and compacted gravel or soil.

Industrial Activity - The ten categories of industrial activities included in the definition of "stormwater discharges associated with industrial activity," as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Stormwater - Stormwater runoff associated with the definition of "stormwater discharges associated with industrial activity."

Interconnection - The point (excluding sheet flow over impervious surfaces) where the permittee's MS4 discharges to another MS4 or other storm sewer system, through which the discharge is eventually conveyed to a water of the United States. Interconnections shall be treated similarly to outfalls throughout the Permit.

Junction Manhole - For the purposes of this plan, a junction manhole is a manhole or structure with two or more inlets accepting flow from two or more MS4 alignments. Manholes with inlets solely from private storm drains, individual catch basins, or both are not considered junction manholes for these purposes.

Key Junction Manhole - For the purposes of this plan, key junction manholes are those junction manholes that can represent one or more junction manholes without compromising adequate implementation of the illicit discharge program. Adequate implementation of the illicit discharge program would not be compromised if the exclusion of a particular junction manhole as a key junction manhole would not affect the permittee's ability to determine the possible presence of an upstream illicit discharge. A permittee may exclude a junction manhole located upstream from another located in the immediate vicinity or that is serving a drainage alignment with no potential for illicit connections.

Municipal Separate Storm Sewer - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man- made channels, or storm drains):



- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Municipal Separate Storm Sewer System (MS4) - Means all separate storm sewers that are defined as "large" or "medium" or "small" municipal storm sewer systems pursuant to paragraphs 40 CFR 122.26 (b)(4) and (b)(7), or designated under paragraph 40 126.26(a) (1)(v). For the purposes of this Permit "MS4" may also refer to the permittee with jurisdiction over the sewer system.

New Development - Any construction activities or land alteration resulting in total earth disturbances greater than 1 acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) on an area that has not previously been developed to include impervious cover. (see Part 2.3.6. of the Permit).

Outfall Catchment - The land area draining to a single outfall or interconnection. The extent of an outfall's catchment is determined not only by localized topography and impervious cover but also by the location of drainage structures and the connectivity of MS4 pipes.

Owner or Operator - The owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Point Source - Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutant - Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water.

Pollutant of Concern - A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a State's 303(d) list.

Redevelopment - For the purposes of this plan, any construction, land alteration, or improvement of impervious surfaces resulting in total earth disturbances greater than 1-acre (or activities that are part of a larger common plan of development disturbing greater than 1 acre) that does not meet the definition of new development (see above).



Site - For the purposes of this plan, the area extent of construction activities, including but not limited to the creation of new impervious cover and improvement of existing impervious cover.

Stormwater - Stormwater runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Discharges Associated with Construction Activity - A discharge of pollutants in stormwater runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located. (See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15)).

Total Maximum Daily Loads (TMDLs) - A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes waste load allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources and/or natural background and must include a margin of safety (MOS) and account for seasonal variations. (See Section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Urbanized Area - US Census designated area comprised of a densely settled core of census tracts and/or census blocks that meet minimum population density requirements, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core. For the purposes of this Permit, Urbanized Areas as defined by any Census since 2000 remain subject to stormwater regulation even if there is a change in the reach of the Urbanized Area because of a change in more recent Census data.

Water Quality Limited Water - for the purposes of this Permit, a water quality limited water is any waterbody that does not meet applicable water quality standards, including but not limited to waters listed in categories 5 or 4b on the Massachusetts Integrated Report of waters listed pursuant to Clean Water Act Section 303(d) and 305(b).

Water Quality Standards - A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and EPA adopt WQS to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA Sections 101(a)2 and 303(c)).



Abbreviations and Acronyms

BMP – Best Management Practice CGP – Construction General Permit

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

DCIA – Directly Connected Impervious Area EPA – U. S. Environmental Protection Agency ESA – Endangered Species Act

USFWS – U. S. Fish and Wildlife Service IA – Impervious Area

IDDE – Illicit Discharge Detection and Elimination LA – Load Allocations

MOS – Margin of Safety

MS4 – Municipal Separate Storm Sewer System MSGP – Multi-Sector General Permit

NHPA – National Historic Preservation Act NMFS – U. S. National Marine Fisheries Service NOI – Notice of Intent

NPDES – National Pollutant Discharge Elimination System NRHP – National Register of Historic Places

PCP – Phosphorus Control Plan (pertaining to Charles River Watershed phosphorus

POTW – Publicly Owned Treatment Works

SHPO – State Historic Preservation Officer

SPCC – Spill Prevention, Control, and Countermeasure SWMP – Stormwater Management Program

SWPPP – Stormwater Pollution Prevention Plan TMDL – Total Maximum Daily Load

USGS – United States Geological Survey WLA – Wasteload Allocation

WQS – Water Quality Standard



APPENDIX E: REVISION LOG



Revision No.	Revision Date	Section of SWMP	Revision(s) Made/Reasoning	Signature
00	11/1/2018	--	--	See Original Certification Page
01	4/1/2021	1.1	Note added that original SWMP was updated to reflect revisions through PY 3.	
		1.2.1	Table 1-1 updated to reflect the 2016 Massachusetts Integrated List of Waters and note added to address that further updates to the List will be incorporated into this SWMP.	
		1.2.2	Revised language to reflect that receiving waterbodies are listed in the Town's MS4 General Permit NOI submission to the EPA.	
		1.4	Added language to reflect that changes to the information submitted in the Town's NOI shall be addressed in the Annual Report and SWMP updates.	
		2.1.1	Note added that IDDE Program Manual can be accessed at the DPW.	
		2.1.3	Revised language to note that SSO inventory can be accessed at the DPW and is included in the Town's Annual Report.	
		2.1.4	Revised language to reflect that receiving waterbodies are listed in the Town's MS4 General Permit NOI submission to the EPA.	
		2.1.5	Note added that waterbody segment(s) ultimately receiving discharge were added to Separate Storm Sewer System Map in Appendix A.	
		2.2.1	Note added that procedures can be accessed at the DPW.	
		2.2.2	Note added that regulations can be accessed at the DPW.	
		2.2.3	Section re-named to 'Street Design and Parking Lot Report'; note added that other "code" requirements are included in Town's assessment/report to be developed in PY 4.	
		2.2.4	NEW SECTION: Added language to reflect that the Town will develop a Green Infrastructure Report in PY 4.	
		2.2.5	NEW SECTION: Added language to reflect that the Town will	



			develop a Retrofit Properties Inventory in PY 4.	
		2.3.1	Note added that inventory can be accessed at the DPW.	
		2.3.2	Revised language to reflect that the Town has developed O&M SOPs and that they can be accessed at the DPW.	
		2.3.3	NEW SECTION: Added Language to reflect that the Town has developed a SWPPP for its Department of Public Works and Transfer Station Facility.	
		Appendix A	Revised Separate Storm Sewer Map.	
		Appendix C	Revised Impaired Waters and Special Resource Waters Map.	
02	6/24/2022	1.1	Revised section text and Table 1-1 to reflect any changes between the MassDEP's 2016 and 2018/2020 Integrated List of Waters	
		Appendix A	Revised Separate Storm Sewer Map.	
		Appendix C	Revised Impaired Waters and Special Resource Waters Map.	