Part I: General Conditions

General Information

Name of Municipality or Organization: Town of Saugus				State:	MA]
EPA NPDES Permit Number (if applicable): MAR041059				I		
Primary MS4 Program Manager Contact Informa	tion					
Name: Brendan B. O'Regan Title:	Director o	f Public Wor	ks			
Street Address Line 1: 515 Main Street						
Street Address Line 2:						
City: Saugus	State:	MA	Zip Code:	01906		
Email: boregan@saugus-ma.gov Phon	e Number: (7	'81) 231-414	3			
Fax Number: (781) 231-4146						
Other Information						
Stormwater Management Program (SWMP) Location Previous (web address or physical location, if already completed): 2018 SW			Director's Office) 5 In website upon c			A.
Eligibility Determination						
Endangered Species Act (ESA) Determination Complete? Yes			Eligibility Criteria (check all that ap		а ⊠ в □ с	
National Historic Preservation Act (NHPA) Determination Com	plete? Yes		Eligibility Criteria (check all that ap		🛛 А 🗌 В 🔲 С	
Check the box if your municipality or organization was c	overed under	the 2003 M	54 General Permit			
MS4 Infrastructure (if covered under the 2003 permit)						
Estimated Percent of Outfall Map Complete? (Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)			ments not met, en pletion (MM/DD/)			
Web address where MS4 map is published: If outfall map is unqualiable on the internet on electronic Map attached (.r		decouver évec loc activities 1.5.4 ° CHI 200 CHIMIN				
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 (Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)	y Adopted?	Yes	Effective Date or Date of Adoptior		105/07/19	
Construction/Erosion and Sediment Control (ESC) Authorit (Part II,III,IV or V, Subpart B.4.(a.) of 2003 permit)	y Adopted?	Yes	Effective Date or Date of Adoption		115/11/10	
Post- Construction Stormwater Management Adopted? (Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)		Yes	Effective Date or Date of Adoption		105/07/19	

Town of Saugus

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

Part II: Summary of Receiving Waters

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

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

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chlorophyll-a Chloride	Dissolved Oxygen/ D0 Saturation	Nitrogen	HA9 \926340 % IiO	Phosphorus Solids/ TSS/	Turbidity E. coli	Enterococcus	Other pollutant(s) causing impairments
Bennetts Pond Brook (MA93-48)	36								Fecal Coliform
Hawkes Brook (MA93-33)	5								Fecal Coliform
Pines River (MA93-15)	10								Fecal Coliform
Saugus River (MA93-35)	26								Fecal Coliform, Low Flow Alterations, Alteration in stream-side or littoral vegetative covers
Shute Brook (MA93-49)	0								Fecal Coliform
Shute Brook (MA93-50)	19								Fecal Coliform
First Pond (MA93081)	2								Non-Native Aquatic Plant
Griswold Pond (MA93029)	2								Non-Native Aquatic Plant
Spring Pond (MA93072)	-								Non-Native Aquatic Plant
Hawkes Pond (MA93032)	-								Turbidity
Saugus River (MA93-43)	14								Fecal Coliform, Water Temperature, other flow regime alterations
Saugus River (MA93-44)	6								Fecal Coliform, Water Temperature, other flow regime alterations
Lynn Harbor (MA93-52)									Fecal Coliform
Birch Pond (MA93004)	23								
Stevens Pond	2								
Prankers Pond	2								
Fiske Brook	27								

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Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chlorophyll-a Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen HA9 \Sease/ PAH	Shiron Sh	Solids/ TSS/ Turbidity	E. coli	Other pollutant(s) causing impairments
Click to lengthen table								

Town of Saugus

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

Part III: Stormwater Management Program Summary

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

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 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 menu.

MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Imple- mentation
Brochures/Pamphlets	Develop and distribute residential Stormwater Pollution Prevention brochure.	Residents	DPW Operations	Brochures distributed to all water/sewer account holders.	2018
Web Page	Develop and publish fact sheet on Stormwater Pollution Prevention for Businesses/ Institutions/ Commercial Facilities	Businesses, Institutions and Commercial Facilities	DPW Operations	Publish on Town website. Number of views.	2019
Brochures/Pamphlets	Develop and publish fact sheet and checklists to educate developers on how to comply with Town's Stormwater bylaw, regulations, and permitting permitting procedures. Continue to send (by inclusion in the packet) a standard letter for developments which includes language on stormwater compliance in new & redevelopment.	Developers (construction)	DPW Operations	Number of fact sheets/checklists handed out to development / redevelopment project proponents.	2018

	Facilities			
Utilize MWRA School Outreach Program for 1 classroom presentation on stormwater in each elementary school. Develop and distribute a pamphlet on property management and snow removal/deicing best practices to businesses registered with the Chamber of Commerce. Develop and distribute a pamphlet on Low Impact Development to development		DPW Operations	Published on Town's website. Number of views.	2019
Develop and distribute a pamphlet on property management and snow removal/deicing best practices to businesses registered with the Chamber of Commerce. Develop and distribute a pamphlet on Low Impact Development to development		DPW Operations	4 classroom presentations on stormwater (4 elementary schools)	2021
Develop and distribute a pamphlet on Low Impact Development to development redevelopment	Businesses, Institutions and Commercial Facilities	DPW Operations	Distribute brochures to businesses registered with Saugus Chamber of Commerce.	2021
project proponents in town.	Developers (construction)	DPW Construction	Number of brochures handed out to development / redevelopment project proponents.	2020
c	Industrial Facilities	DPW Operations	Number of stories run. Number of views on website.	2021
Pet Waste Brochure distributed annually to dog owners at the time of license renewal. (Bacteria TMDL)		DPW Operations	Number of dog licenses / brochures distributed.	2019
Septic System Brochures/Pamphlets Brochures/Pamphlets		DPW Operations	Number of septic system owners / brochures distributed.	2019

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Residents

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

Part Ill: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	SWMP Review	DPW Operations	Allow annual review of stormwater management program and posting of stormwater management program on website	2018
Public Participation	Public Meeting - Stormwater	DPW Operations	Allow public to comment on stormwater management program annually	2018
Public Participation	Continue to provide in-kind support for citizen clean-ups	DPW Operations	Assist in citizen clean-ups.	2018

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Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
SSO inventory	Develop SSO inventory in accordance of permit conditions	DPW Operations	Complete within 1 year of effective date of permit	2019
Storm sewer system map	Continue to update GIS mapping periodically and during IDDE program work	DPW Operations	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2019
Written IDDE program	Create written IDDE program	DPW Operations	Complete within 1 year of the effective date of permit and update as required	2018
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW Operations	Complete 10 years after effective date of permit	2019
Employee training	Train employees on IDDE implementation	DPW Operations	Train annually	2019
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	DPW Operations	Complete 3 years after effective date of permit	2019
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	DPW Operations	Complete 10 years after effective date of permit	2020
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	DPW Operations	Complete ongoing outfall screening upon completion of IDDE program	2021

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Town of Saugus						

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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

BMP Categorization (enter your own text to override the drop down menu or entered text)				
	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
Complete written Site inspection and enforcement of Erosion and Sediment procedures of site Control (ESC) measures inspections and	Complete written procedures of site inspections and enforcement procedures	DPW Operations	Complete within 1 year of the effective date of permit	2018
Comp procee review impler Contir Planni Inspec Conse Conse Conse	Complete written procedures of site plan review and begin implementation. Continue to work with Planning Board, Inspection Services and Conservation Commission to review site plans for SW impact.	DPW Operations	Develop protocol for site plan review.	2018
Adopt requir constr impler and er progra work'v Board Servic Conse Comm and in	Adoption of requirements for construction operators to implement a sediment and erosion control program. Continue to work with Planning Board, Inspection Services and Conservation Commission to review and inspect sites.	DPW Operations	Number of inspections conducted.	2018
Adopt requir waste: waste limited buildi concre chemi sanita	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	DPW Operations	Complete within 1 year of the effective date of permit	2018

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Town of Saugus		Page 12 of 21

Part Ill: Stormwater Management Program Summary (continued)

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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP
				Imple- mentation
As-built plans for on-site stormwater control	The procedures to require submission of as- built drawings and ensure long term operation and maintenance will be a part of the SWMP	DPW Operations	Require submission of as-built plans for completed projects	2018
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	DPW Operations	Complete 4 years after effective date of permit and report annually on retrofitted properties	2021
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	DPW Operations	Complete 4 years after effective date of permit and implement recommendations of report	2021
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 determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	DPW Operations	Complete 4 years after effective date of permit and implement recommendations of report	2021

Town of Saugus			4	Page 14 of 21
Ensure any stormwater controls or management practices for new development and redevelopment meet the retention or treatment requirements of the permit and all applicable requirements of the Massachusetts Stormwater Handbook	Adoption, amendment, or modification of a regulatory mechanism to meet permit requirements	DPW Operations	Complete 2 years after effective date of permit	2018

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

Part Ill: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW Operations	Complete and implement 2 years after effective date of permit	2019
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW Operations	Complete 2 years after effective date of permit and implement annually	2019
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure.	DPW Operations	Complete 2 years after effective date of permit	2019
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	DPW Operations	Complete and implement 2 years after effective date of permit	2019
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW Operations	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2018
Street sweeping program	Continue to sweep all streets and permitee- owned parking lots twice each year, in accordance with permit conditions	DPW Operations	Continue to sweep all streets and permitee- owned parking lots twice per year	2018

Town of Saugus				16 אר 16 סחבם
Road salt use optimization program	Establish and implement a program to minimize the use of road salt. Continue to calibrate salt spreaders twice per year and monitor industry standards and practices.	DPW Operations	Implement salt use optimization during deicing season	2018
Inspections and maintenance of stormwater treatment structures.	Establish and implement inspection and maintenance procedures and frequencies	DPW Operations	Inspect and maintain treatment structures at least annually	2019
Recycling Program	Continue to hold annual Household Hazardous Waste Drop-off Day	DPW Operations	At least one hazardous waste drop-off day a year.	2018
Tree Replacement Program	Continue to implement Town Tree Replacement program (annually)	DPW Operations	The same number or more trees planted than cut down or felled each year (by Town).	2018

Town of Saugus

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

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

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

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

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

			Recnonciple Densitment/Dartier
Pollutant	Waterbody ID(s)	Action Description	(enter your own text to override the drop down menu)
Fecal Coliform	MA93-15, MA93-33, MA93-35,MA93-43, MA93-48, MA93-44, MA93-49, MA93-50, MA93-52,	MA93-15, MA93-33, MA93-35,MA93-43, MA93-48, MA93-44, MA93-49, MA93-50, Adhere to requirements in part III of Appendix H MA93-52,	DPW Operations
E. Coli	MA93-33, MA93-35,MA93-48, MA93-50	Adhere to requirements in part III of Appendix H	DPW Operations
Oil and Grease	MA93-43, MA93-44	Adhere to requirements in part V of Appendix H	DPW Operations
Turbidity	MA93032	Adhere to requirements in part V of Appendix H	DPW Operations

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Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

Saugus is subject to a TMDL for pathogens. Saugus is not located in watersheds with TMDLs for phosphorus or nitrogen, nor are the waters impaired for Phosphorus or Nitrogen.

Correspondence on Endangered Species Act eligibility 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 gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:	Scott C. Crabtree
Signature:	To be signed according to Appendix (B. Subparagraph B.11. Standard Conditions)

e: Town Manager e: 9/25/18 Title:

Date:

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

September 24, 2018

To whom it may concern:

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

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

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

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

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

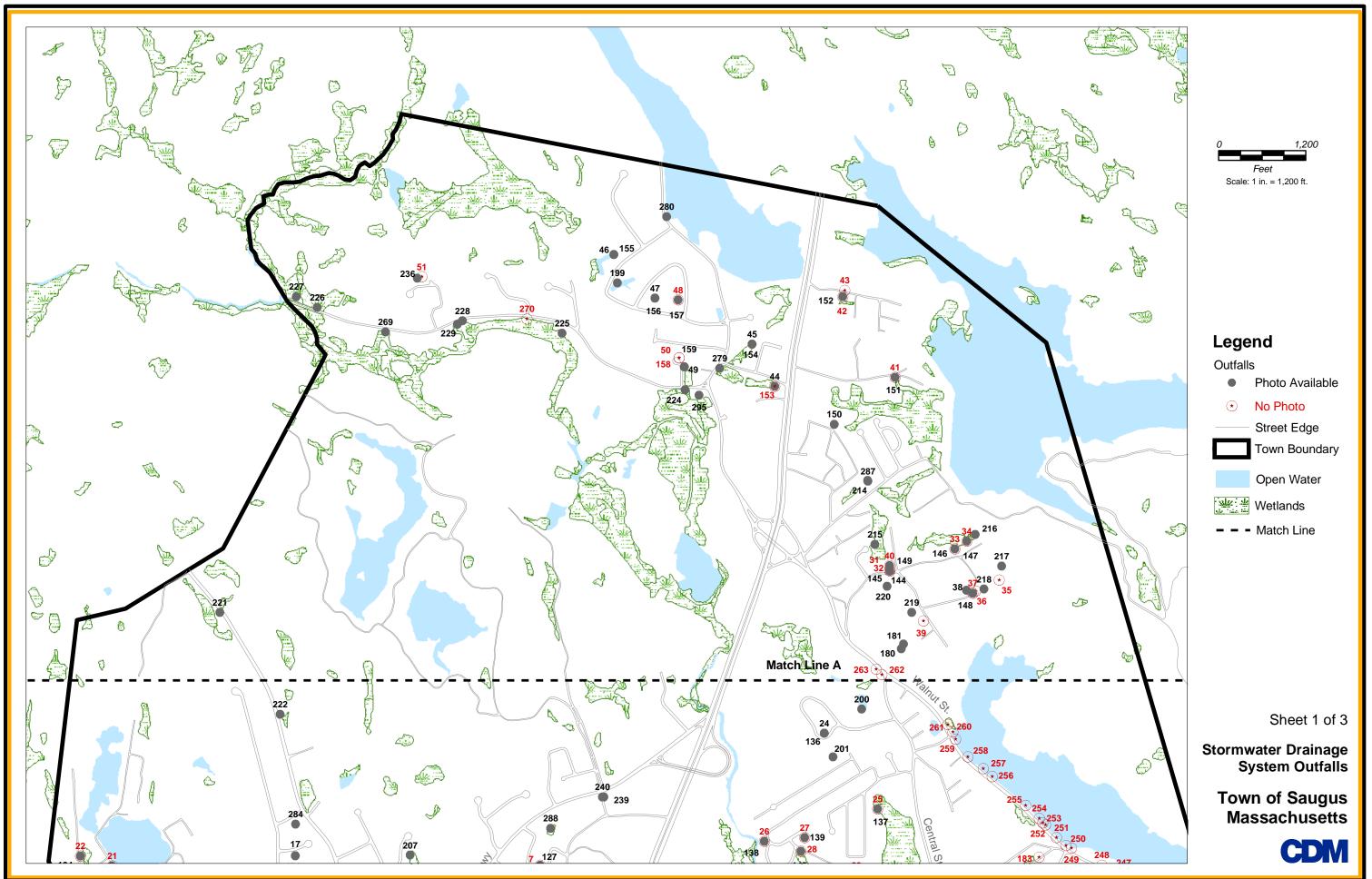
- 1. all stormwater discharges are pre-existing or previously permitted by EPA;
- 2. any planned operations and maintenance work covered by this permit will only affect previously disturbed areas where stormwater controls are already installed. In these situations the chance of encountering any of the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

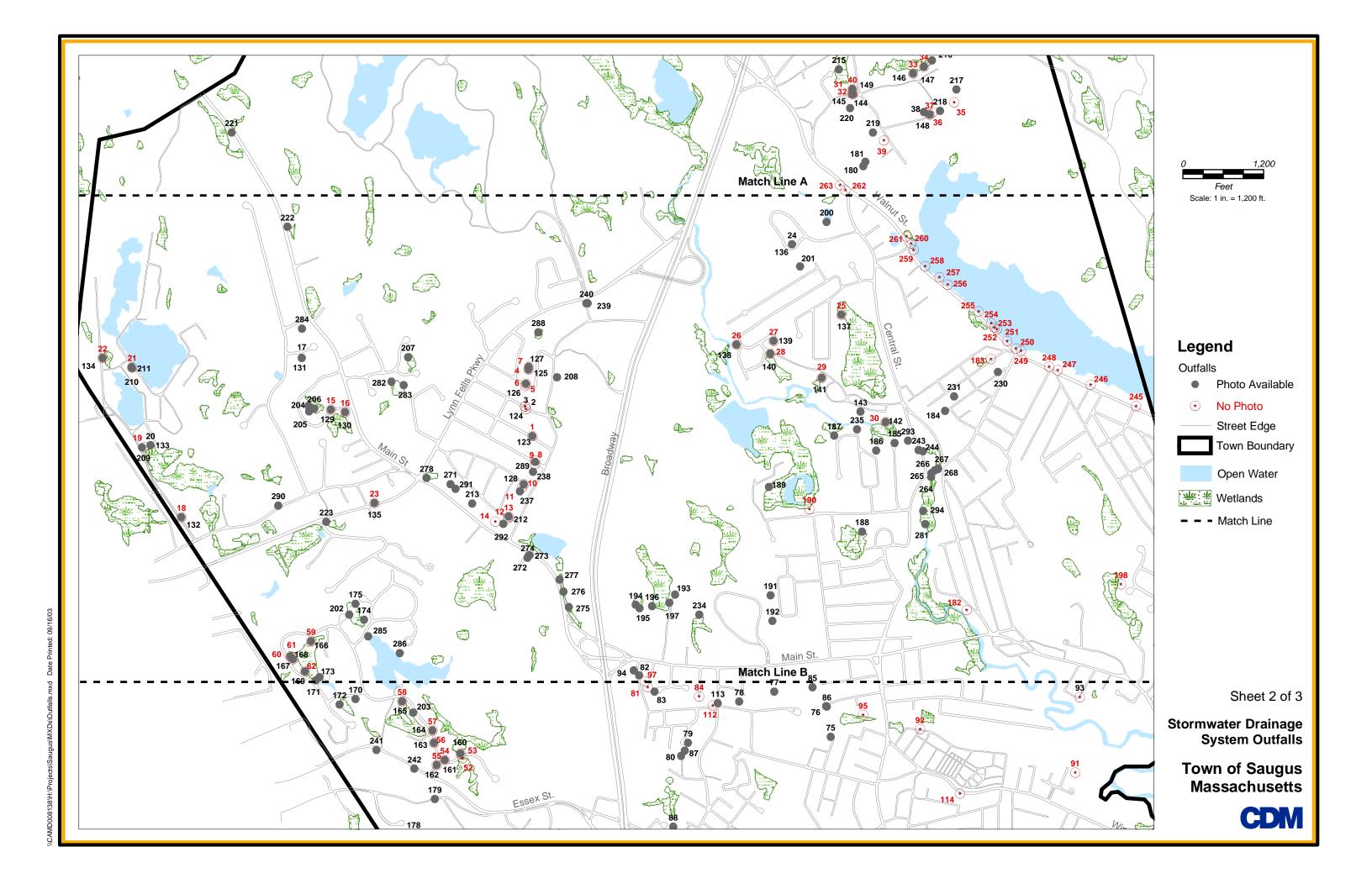
If the above criteria are met, further consultation with the USFWS under section 7 of the ESA is not required at this time; however, if the proposed action changes in any way such that it may affect a listed species in a manner not previously analyzed or if new information reveals the presence of additional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

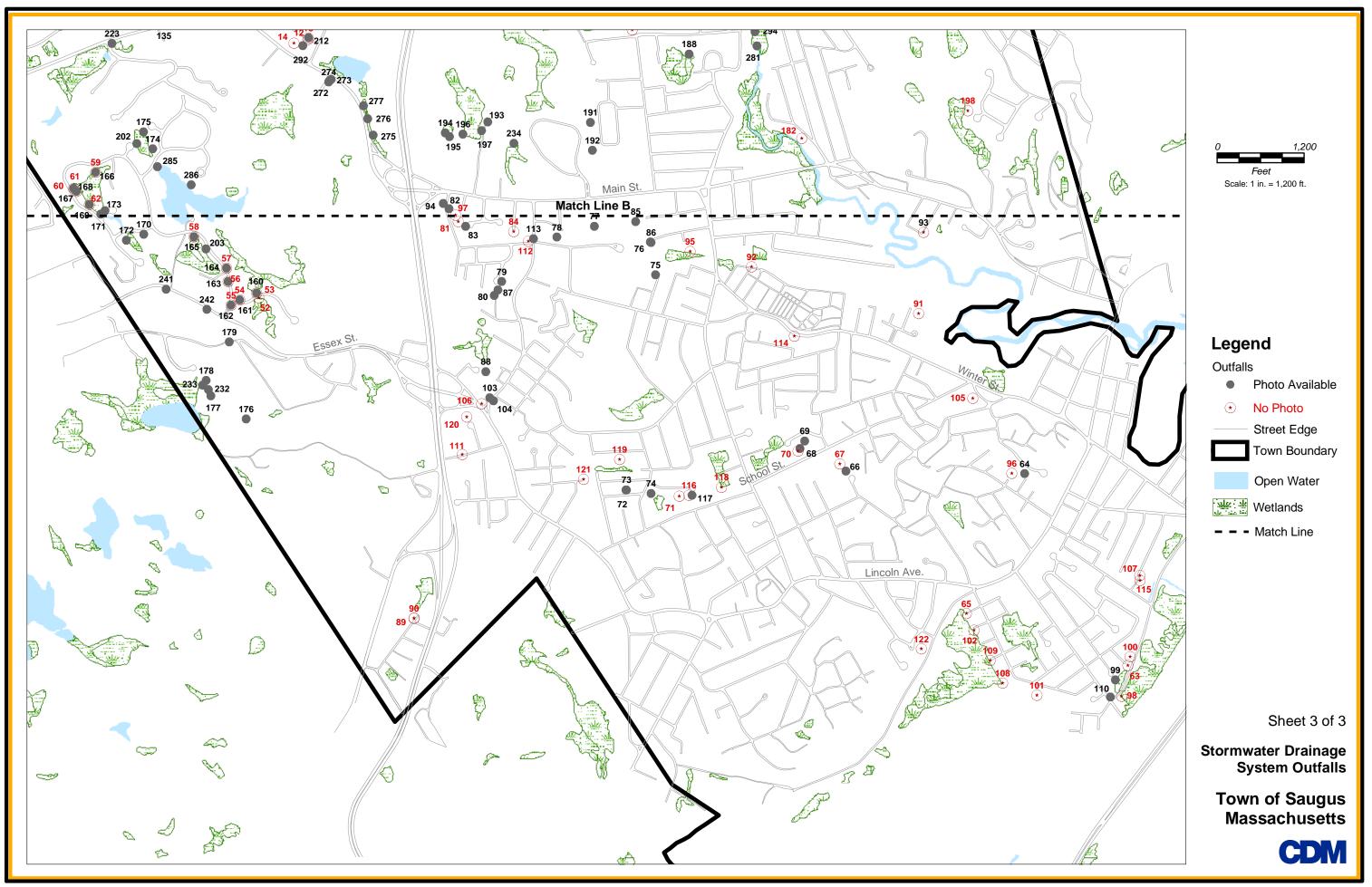
Sincerely yours,

Thomas R Chapman Supervisor New England Field Office

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







AMD008138\H:\Projects\Saugus\MXDs\Outfalls.mxd Date Printed: 09/16/



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 <u>http://www.fws.gov/newengland</u>



In Reply Refer To: Consultation Code: 05E1NE00-2018-SLI-3034 Event Code: 05E1NE00-2018-E-07157 Project Name: Saugus MS4 - NOI September 11, 2018

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/ eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300 Concord, NH 03301-5094 (603) 223-2541

Project Summary

Consultation Code:	05E1NE00-2018-SLI-3034
Event Code:	05E1NE00-2018-E-07157
Project Name:	Saugus MS4 - NOI
Project Type:	** OTHER **

Project Description: Ongoing Stormwater Discharges

Project Location:

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/place/42.44859147088435N71.02498122818747W</u>



Counties: Essex, MA | Middlesex, MA

Endangered Species Act Species

There is a total of 3 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. <u>NOAA Fisheries</u>, 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: <u>https://ecos.fws.gov/ecp/species/9045</u>	Threatened
Birds	
NAME	STATUS
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/1864</u>	Threatened
Roseate Tern Sterna dougallii dougallii Population: northeast U.S. nesting pop. No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/2083</u>	Endangered

Critical habitats

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