

# **Stormwater Management Program (SWMP)**

## **TOWN OF WINDHAM, NEW HAMPSHIRE**

**4 North Lowell Road, Windham, New Hampshire 03087**



### **Permit Year 4**

Most Recent Update: September 2022

#### **Prepared By:**

**Town of Windham, Seacoast Stormwater Coalition &  
Manchester/Nashua Stormwater Coalition**

EPA NPDES Permit Number NHR041035

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# Certification

**Authorized Representative:**

The authorization letter is:

☒ Attached to this document (document name listed below):

*Letter\_of\_TA\_SWMP\_Authorization*

☐ Publicly available at the website:

“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.”

Printed Name:

Brian McCarthy, Town Administrator

Signature:

Date:

9/27/22

# **Background**

## **Stormwater Regulation**

The Stormwater Phase II Final Rule was promulgated in 1999 and was the next step after the 1987 Phase I Rule in EPA's effort to preserve, protect, and improve the Nation's water resources from polluted stormwater runoff. The Phase II program expands the Phase I program by requiring additional operators of MS4s in urbanized areas and operators of small construction sites, through the use of NPDES permits, to implement programs and practices to control polluted stormwater runoff. Phase II is intended to further reduce adverse impacts to water quality and aquatic habitat by instituting the use of controls on the unregulated sources of stormwater discharges that have the greatest likelihood of causing continued environmental degradation. Under the Phase II rule all MS4s with stormwater discharges from Census designated Urbanized Area are required to seek NPDES permit coverage for those stormwater discharges.

## **Permit Program Background**

On May 1, 2003, EPA Region 1 issued its Final General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (2003 small MS4 permit) consistent with the Phase II rule. The 2003 small MS4 permit covered "traditional" (i.e., cities and towns) and "non-traditional" (i.e., Federal and state agencies) MS4 Operators located in the states of Massachusetts and New Hampshire. This permit expired on May 1, 2008 but remained in effect until operators were authorized under the 2016 MS4 general permit, which became effective on July 1, 2018.

## **Stormwater Management Program (SWMP)**

The SWMP describes and details the activities and measures that will be implemented to meet the terms and conditions of the permit. The SWMP accurately describes the permittees plans and activities. The document should be updated and/or modified during the permit term as the permittee's activities are modified, changed or updated to meet permit conditions during the permit term. The main elements of the stormwater management program are (1) a public education program in order to affect public behavior causing stormwater pollution, (2) an opportunity for the public to participate and provide comments on the stormwater program, (3) a program to effectively find and eliminate illicit discharges within the MS4, (4) a program to effectively control construction site stormwater discharges to the MS4, (5) a program to ensure that stormwater from development projects entering the MS4 is adequately controlled by the construction of stormwater controls, and (6) a good housekeeping program to ensure that stormwater pollution sources on municipal properties and from municipal operations are minimized.

# Small MS4 Authorization

The NOI was submitted on **September 27, 2018**.

The NOI can be found at the following (document name or web address):

<https://www.epa.gov/npdes-permits/regulated-ms4-new-hampshire-communities>

Authorization to Discharge under the 2017 NH Small MS4 General Permit was granted on **March 18, 2019**.

The Authorization Letter can be found (document name or web address):

<https://www.windhamnh.gov/450/Stormwater-Management>

# Stormwater Management Program Team

## **SWMP Team Coordinator:**

Position/Title: Town Administrator

Name: Brian McCarthy  
Department: Administration  
Phone Number: 603.432.7732  
Email Address: TownAdmin@windhamnh.gov

## **SWMP Team:**

Position/Title: General Services Director

Name: Dennis Senibaldi  
Department: General Services  
Phone Number: 603.216.5676  
Email Address: dsenibaldi@windhamnh.gov

Position/Title: Highway Operator

Name: John Devlin  
Department: General Services - Highway  
Phone Number: 603.216-5676  
Email Address: jdevlin@windhamnh.gov

Position/Title: Community Development  
Director

Name: Alex Mello  
Department: Community Development  
Phone Number: 603.432.3806  
Email Address: amellon@windhamnh.gov

Position/Title: IT/GIS Director

Name: Open Position  
Department: Information Technologies/GIS  
Phone Number: 603.432.7732  
Email Address: IT@windhamnh.gov

## **Receiving Waters**

The list of receiving waters, impairments and number of outfalls discharging to each waterbody segment has been included in the Notice of Intent (found in Appendix A).

## **Eligibility: Endangered Species and Historic Properties**

Endangered Species and Historic Properties eligibility information has been included in the Notice of Intent (found in Appendix A).

**MCM 1**  
**Public Education and Outreach**  
Permit Part 2.3.2

## **Requirements - Year 1**

### **BMP 1.1: Septic System Maintenance – Brochures/Pamphlets**

**Document Name and/or Web Address:**

“Do your Part—Be SepticSmart” flyer: <https://www.windhamnh.gov/450/Stormwater-Management>

**Description:** Information on regular pumping and maintenance of septic systems. Distribution of “Do your Part—Be SepticSmart” brochure that reminds all of the need for proper care and maintenance. Flyers will be distributed to residents and will be available at Town Offices.

**Targeted Audience:** Septic System Owners

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Increase residents’ awareness of septic system maintenance and water quality impacts.

**Message Date:** Spring 2019

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### **BMP 1.2: Pet Waste Disposal – Brochures/Pamphlets**

**Document Name and/or Web Address:**

“Help Keep Our Watershed Clean” flyer: <https://www.windhamnh.gov/450/Stormwater-Management>

"Every Drop" post cards or flyer: [https://www4.des.state.nh.us/nh-ms4/?page\\_id=54](https://www4.des.state.nh.us/nh-ms4/?page_id=54)

**Description:** Distribution and promotion of “Help Keep Our Watershed Clean”, "Every Drop" or similar post cards or flyer with proper pet waste management, impacts of improper management, pet waste ordinance, and disposal requirements messaging. May include pledge to pick up pet waste to be made available during dog registration and other events or venues (veterinarians, dog training, groomers, etc.). Every Drop is a collaborative education effort with PREP, NHDES and other partners. Flyers will be available at the Town office and will also be posted online (Windhamnh.gov). Additionally, pet waste flyers may be distributed during Town Meeting, at the transfer station, and/or distributed to veterinary or pet service businesses in Windham.

**Targeted Audience:** Residents - Pet Owners and Pet Service Industry

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Dog owners and/or dog walkers are aware of the potential water quality impacts from pet waste, local pet waste ordinances, and how to dispose of pet waste properly. If pledges are signed, there will be an increase of dog owners committed to picking up pet waste.

**Message Date:** Spring or time of license renewal, 2019

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### **BMP 1.3: Grass and Fertilizer – Brochures/Pamphlets**

**Document Name and/or Web Address:**

Green Grass & Clear Water Brochure: [https://www4.des.state.nh.us/nh-ms4/?page\\_id=54](https://www4.des.state.nh.us/nh-ms4/?page_id=54)

**Description:** Distribution and promotion of four- fold flyer produced by UNH Cooperative Extension and NH Sea Grant outlining simple recommendations to keep lawns healthy while reducing water quality impacts - including proper fertilizer techniques and disposal of grass clippings.

**Targeted Audience:** Residences, Businesses and Institutions

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Lawn care enthusiasts' residents understand the potential water quality impacts from fertilizer and improper disposal of grass clippings and are aware of the proper lawn care management techniques for reducing those impacts. Measurement includes materials distribution methods and numbers and change in visits to UNH Cooperative Extension or municipal stormwater webpages.

**Message Date:** Spring/Summer, 2019

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### **BMP 1.4: Leaf Litter – Brochures/Pamphlets (SOP's)**

**Document Name and/or Web Address:**

Standard Operating Procedures for Disposal of Leaf Litter:  
[https://www4.des.state.nh.us/nh-ms4/?page\\_id=54](https://www4.des.state.nh.us/nh-ms4/?page_id=54)

**Description:** Distribution and promotion of Standard Operating Procedures for encouraging the proper disposal of leaf litter for municipalities or areas with nitrogen or phosphorous impairments or TMDLs.

**Targeted Audience:** Residences, Businesses, and Institutions

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Measurement includes materials distribution methods and numbers and change in visits to UNH Cooperative Extension or municipal stormwater webpages. Track observations of any changes in known dumping sites.

**Message Date:** Spring/Summer or Fall, 2019

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### **BMP 1.5: Town Website**

**Town Website:** <https://windhamnh.gov/450/Stormwater-Management>

**Description:** Information on MS4 permit requirements and posting of related documents, notices and materials regular pumping and maintenance of septic systems.

**Targeted Audience:** All target audiences

**Responsible Department/Parties:** Administration and Information Technologies/GIS

**Measurable Goal(s):** Maintain an up-to-date website for dissemination and posting of MS4 permit and stormwater information.

**Message Date:** Annually/ongoing beginning 2019

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### **BMP 1.6: Salt Storage and Use – Brochures/Pamphlets**

**Document Name and/or Web Address:**

<https://www.des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-11-13.pdf>

**Description:** Information on storage/use of salt or deicing materials. Information will be direct mailed to target audiences and will be available at Town Office and on the website.

**Targeted Audience:** Industrial facilities, businesses, institutions, commercial facilities, landscaping companies, and private maintenance and snowplowing contractors

**Responsible Department/Parties:** Community Development Department and General Services Department

**Measurable Goal(s):** Increase awareness of effects that salt or deicing materials have on surrounding environment and water quality; increase awareness to better manage and reduce the amount of salt or deicing materials used; and increase awareness of proper storage of salt or deicing materials.

**Message Date:** Fall 2019 or Fall 2020

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### **BMP 1.7: Training**

**Document Name and/or Web Address:**

**Description:** Town staff will participate in training as provided by NHDES, local stormwater coalitions, or other agencies or groups.

**Targeted Audience:** Town employees and department managers

**Responsible Department/Parties:** General Services Department

**Measurable Goal(s):** Increase awareness of and education of Town staff pursuant to MS4 permit requirements. Training Highway Department staff on good Housekeeping requirements.

**Message Date:** Annually beginning 2020

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### **BMP 1.8: Site and Subdivision Regulations**

**Description:** Promote Low Impact Development (LID) by ensuring that each site plan of subdivision application includes information on LID. Town regulation to be modified to require LID practices. Information will be available in the site plan and subdivision regulations and on the Town website.

**Targeted Audience:** Developers/Construction

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Increased awareness and use of LID principles and technologies.

**Message Date:** Early 2021

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**MCM 2**  
**Public Involvement and Participation**  
Permit Part 2.3.3

### **BMP 2.1: Public Review of Stormwater Management Program**

**Location of Plan and/or Web Address:** Administration Building, 4 North Lowell Road, Windham, NH and <https://www.windhamnh.gov/450/Stormwater-Management>

**Responsible Department/Parties:** General Services Department and Stormwater Team

**Measurable Goal(s):** Stormwater Management Plan is publicly available.

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### **BMP 2.2: Public Participation in Stormwater Management Program Development**

**Description:** The SWMP will be located at the Administration Building. The Windham Town Administrator will periodically announce updates to the SWMP and direct residents to the website to review the SWMP and provide comments.

**Responsible Department/Parties:** Community Development Department

**Measurable Goal(s):** Annual public input provided.

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**MCM 3**  
**Illicit Discharge Detection and**  
**Elimination (IDDE) Program**  
Permit Part 2.3.4

**BMP: IDDE Legal Authority**

See Illicit Discharge Detection and Elimination (IDDE) Plan

**BMP: Sanitary Sewer Overflow (SSO) Inventory**

See Illicit Discharge Detection and Elimination (IDDE) Plan

**BMP: Map of Storm Sewer System**

See Illicit Discharge Detection and Elimination (IDDE) Plan

**BMP: IDDE Program**

See Illicit Discharge Detection and Elimination (IDDE) Plan

**BMP: Employee Training**

See Illicit Discharge Detection and Elimination (IDDE) Plan

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**MCM 4**  
**Construction Site Stormwater Runoff Control**  
Permit Part 2.3.5

#### **BMP 4.1: Sediment and Erosion Control Ordinance**

**Completed** (latest version March 28, 2011) ☒

**Document Name and/or Web Address:** <https://www.windhamnh.gov/311/Local-Ordinances>

**Ordinances Link or Reference:**

**Department Responsible for Enforcement:** Community Development Department

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#### **BMP 4.2: Site Plan Review Procedures**

**Written procedures completed** (by year 1) ☒

**Document Name and/or Web Address:** Site Plan Review Procedures

**Description:** Written documentation of Site Plan Review Procedures

**Department Responsible for Enforcement:** Community Development Department

**Measurable Goal(s):** Conduct site plan review of 100% of projects according to the procedures outlined above.

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#### **BMP 4.3: Site Inspections and Enforcement of Sediment and Erosion Control Measures Procedures**

**Completed** (by year 1) ☒

**Document Name and/or Web Address:** Initial Site Inspection Checklist/Site Inspectors Checklist

**Department Responsible for Enforcement:** Community Development Department

**Description:** Written documentation of Procedures for Site Inspections and Enforcement of Sediment and Erosion control Measures.

**Measurable Goal(s):** Inspect 100% of construction sites as outlined in the above document and take enforcement actions as needed.

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#### **BMP 4.4: Construction and Site Waste Control Measures Procedures**

**Completed** (by year 1) ☒

**Document Name and/or Web Address:** Initial Site Inspection Checklist/Site Inspectors Checklist

**Department Responsible for Enforcement:** Community Development Department

**Description:** Develop Site Inspection Checklists for Use in Evaluation of Construction and Site Waste Control Measures.

**Measurable Goal(s):** Inspect 100% of construction sites as outlined in the above document and take enforcement actions as needed.

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**MCM 5**  
**Post Construction Stormwater Management**  
**in New Development and Redevelopment**  
Permit Part 2.3.6

### **BMP 5.1: Post-Construction Ordinance**

**Completed** (by year 2) ☒

**Town Ordinances Link or Reference:**

<https://windhamnh.gov/DocumentCenter/View/7192/Post-Construction-Stormwater-Standards>

**Department Responsible for Enforcement:** Community Development Department

**Description:** Develop Ordinance that includes a requirement for as-built plans related to on-site stormwater controls.

**Measurable Goal(s):** Recommendations are implemented by year 2 with progress reported annually.

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### **BMP 5.2: Street Design and Parking Lot Guidelines Report**

**Completed** (by year 4) ☐

**Document Name and/or Web Address:** TBD

**Department Responsible for Enforcement:** TBD

**Description:** Develop a report that assesses street and parking lot guidelines, focusing on impervious cover reductions.

**Measurable Goal(s):** Recommendations are implemented by year 4 with progress reported annually.

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### **BMP 5.3: Green Infrastructure Report**

**Completed** (by year 4) ☐

**Document Name and/or Web Address:** TBD

**Department Responsible for Enforcement:** TBD

**Description:** Develop a report that assesses local regulations to incorporate green infrastructure practices where feasible.

**Measurable Goal(s):** Recommendations are implemented by year 4 with progress reported annually.

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### **BMP 5.4: List of Municipal Retrofit Opportunities**

**Completed** (by year 4) ☐

**Document Name and/or Web Address:** TBD

**Department Responsible for Enforcement:** TBD

**Description:** Inventory and rank permittee-owned property and existing infrastructure with respect to BMP retrofits to reduce frequency, volume, and pollutant loads of stormwater discharges to the MS4.

**Measurable Goal(s):** The list is completed by year 4 and updated as needed.

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**MCM 6**  
**Good Housekeeping and Pollution**  
**Prevention for Permittee Owned Operations**  
Permit Part 2.3.7

## PERMITTEE OWNED FACILITIES

### **BMP 6.1: Parks and Open Spaces Operations and Maintenance Procedures**

**Written Document Completed** (by year 2) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7200/OM---Parks-and-Open-Space>

**Responsible Department/Parties:** General Services Department/Recreation Coordinator

**Description:** The Town of Windham has established procedures to address the proper use, storage, and disposal of pesticides, herbicides, and fertilizers (PHF) including minimizing the use of these products in accordance with manufacturer's instructions; trash management; pet waste disposal; waterfowl management; and erosion and poor vegetative cover and as outlined in Section 2.3.7.1 a. of the MS4 permit.

### **Municipal Parks and Open Space Inventory**

The following is a list of properties covered by these procedures and include all municipal and county facilities where fertilizers are stored, mixed, applied, recycled, or disposed of, and at municipal properties in which lawns or vegetation are mowed, trimmed, and maintained (e.g. parks, golf courses, and open space properties) located within the MS4 area. This inventory shall be updated annually during SWMP review.

Park/Open Space	Address	Services Contracted	Lawn Mowing	Landscaping	Fertilizing	Pesticide / Herbicide	Trash Mgmt	Pet Waste	Waterfowl Mgmt.	Chemical Toilets	Other
Griffin Park	111 Range	X	X	X	X	X	X	X	X	X	Bathrooms
Rogers Field	Ministerial	X	X	X	X	X	X			X	Bathrooms
Wonderland Playground	Estey Rd.	X	X				X				
Tokanel	3 Meadow	X	X	X	X	X	X			X	
Searles	3 Chapel	X	X	X	X	X	X			X	
Town Beach	45 Cobbetts Pond	X	X	X			X		X	X	Test Pond
Nashua Rd	Nashua Rd	X	X	X	X	X	X			X	
Town Common	4 N. Lowell	X	X	X	X	X	X				
Town Hall	3 N. Lowell	X	X	X	X	X	X				
PD/FD/Library	Fellows Rd	X	X	X	X	X	X				
Deer Leap	Woodbury	X					X				
Rail Trail	Depot Rd	X	X				X			X	
Center School*	2 Lowell Rd	X								X	
Golden Brook School*	112B Lowell	X								X	

### **Responsible Department/Parties**

Town of Windham Parks and Recreation, General Service Division, and Conservation Commission.

### **Training**

Annual maintenance procedures training will be made available to employees involved in Parks and Open Spaces operations. All contractors involved in Parks and Open Spaces operations are provided the information in this section of the SWMP.

Example training video: <https://www.youtube.com/watch?v=6eD29UBINqE&feature=youtu.be>

## **Best Management Practices**

The following best management practices (BMPs) aim to minimize the concentration of nitrogen and phosphorus in stormwater runoff:

### **Lawn Maintenance**

#### *Landscape Maintenance*

- Mulch-mow grasses whenever possible; grass clippings are a natural fertilizer.
- Sweep grass clippings from sidewalks or streets back onto grassy areas.
- Dispose of organic wastes by composting whenever possible. When composting is not possible, dispose of organic wastes at an approved disposal facility. In both cases, ensure that runoff from sites does not enter a waterway.
- Do not wash down or dispose of lawn clippings, leaves, tree trimmings, or other landscape waste in a storm drain, drainage ditch, or open body of water.
- Collect and dispose of wastes generated by cleaning equipment (e.g. grass clippings) in the trash or by composting.
- Irrigate with the minimal amount of water needed.
- Maintain all irrigation systems so that irrigation uses the minimum amount of water possible, is applied evenly, and does not run off. Repair broken or leaking sprinkler heads as soon as possible.

#### *Application of Fertilizers*

- Properly calibrate all fertilizer application equipment to ensure proper application rate.
- Time the application of fertilizers to coincide with the manufacturer's recommendation for best results.
- Consider use slow release fertilizers.
- Reduce the need for chemical, algal control in ponds through proper aeration, nutrient reduction, bio-filtration, vegetation management, and/or biological controls.
- Sweep or blow granular fertilizers back onto grassy areas from pavement and sidewalks.
- Train employees on proper application methods, as recommended by the equipment manufacturer (done by License Contractor).
- Do not apply fertilizers when heavy rainfall or winds are expected.
- Never over-apply fertilizers.
- Avoid spraying fertilizers within 25-50 feet of any surface water or storm drainage structure (unless stricter limits apply).

#### *Storage and Handling of Fertilizers*

- Town does not store materials – all materials are handled and stored by the Licensed Contractor Applicator at their own facilities.

### **Trash Management**

- Routinely pick up any trash bags left along trails, parks, or streets.
- Empty trash cans and dumpsters regularly.
- Keep lids on all trash cans and dumpsters.

### **Pet Waste Cleanup**

- Post signs in areas concerning the proper disposal of pet wastes.
- Provide pet waste bags and waste containers at Griffin Park

### **Waterfowl Waste Management**

- Discourage waterfowl from living in stormwater infrastructure.
- Do not feed waterfowl.

### **Erosion and Poor Vegetative Cover**

- Install temporary sediment and erosion control stabilization measures as needed.
- Re-establish grass or native plants, especially within 50 ft of a surface water.

### **Measurable Goal(s)**

Implement the BMP's on 100% of the parks and open spaces.

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## **BMP 6.2: Buildings and Facilities Operations and Maintenance Procedures**

**Written Document Completed** (by year 2) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7201/OM---Buildings-and-Facilities>

**Responsible Department/Parties:** General Services Department

**Description:** Evaluate the use, storage, and disposal of petroleum products and other potential stormwater pollutants. Provide employee training as necessary, ensure that Spill Prevention Plans are in place. Develop management procedures for dumpsters and other waste management equipment. Sweep lots and areas surrounding the facilities clean to reduce runoff of pollutants in accordance with Section 2.3.7.1 b. of the MS4 permit.

### **Municipal Buildings and Facilities Inventory**

The following is a list of properties covered by these procedures and include all municipal offices, police and fire stations, located within the MS4 area. This inventory shall be updated annually during SWMP review.

<b>Building</b>	<b>Address/Locati on</b>	<b>Cleaning Services Contracted</b>	<b>Trash mgmt.</b>	<b>Building Maintenance</b>	<b>Pollutant Storage</b>	<b>Petroleum Storage</b>
Town Hall	3 North Lowell Rd	X	X	X		
Comm Devlpmnt	3 North Lowell Rd	X	X	X		
Armstrong Building	3 North Lowell Rd	X	X	X		
Bartley Building	4 North Lowell Rd	X	X	X		
Senior Center	2 North Lowell Rd	X	X	X		
Library	8 Fellows Rd	X	X	X		
Fire Station	3 Fellows Rd	X	X	X	X	
Police Station	4 Fellows Rd	X	X	X		
Transfer Station	2 Ledge Road	X	X	X	X	X
Highway Garage	2 Ledge Road	X	X	X	X	

## **Responsible Department/Parties**

Town of Windham – General Services Division

## **Training**

Annual maintenance procedures training will be made available to employees involved in Municipal Building and Facilities operations. All contractors involved in Building and Facilities operations are provided the information in this section of the SWMP.

## **Best Management Practices**

The following best management practices (BMPs) will be implemented at all municipally owned or operated buildings and facilities located within the MS4 area:

## **Handling, Storage, Transfer, and Disposal of Trash and Recyclables**

All liquid and solid waste must be disposed of properly. Some of the most common sources of pollution at municipal facilities are a result of littering, improper collection of debris, and improper disposal of solid or liquid waste.

- All waste and recycling receptacles must be leak-tight with tight-fitting lids or covers.
- Keep lids on waste dumpsters and containers closed at all times unless adding or removing material.
- Do not locate dumpsters over or adjacent to catch basins.
- Clean up any liquid leaks or spills with dry cleanup methods.
- Arrange for waste or recycling to be picked up regularly and disposed of at approved disposal facilities.
- Never place hazardous materials, liquids, or liquid-containing wastes in a dumpster or recycling or trash container.
- Conduct periodic inspections of solid and liquid waste storage areas to check for leaks and spills.
- Do not wash trash or recycling containers outdoors or in parking lots.
- Conduct periodic inspections of work areas to ensure that all wastes are being disposed of properly.
- In compactor areas, regularly check the hydraulic fluid hoses and reservoir to ensure that there are no cracks or leaks.

## **Building Maintenance**

- Sweep parking lots and keep areas surrounding facilities clean to reduce runoff of pollutants.
- When power washing buildings and facilities, ensure that the washwater does not flow directly into the storm system. Containment or filtering systems should be provided.
- Paint and other chemicals should not be applied on the outside of buildings when it is raining or prior to expected rain.
- When sanding, painting, power washing, etc., ensure that sites are properly prepared (e.g., use tarps) and cleaned (e.g., use dry cleaning methods) especially if they are near storm drains. Protect catch basins when maintenance work is conducted upgradient of them.
- When painting, use a drop cloth and clean up any spills immediately.
- Do not leave open containers on the ground where they may accidentally tip over.
- Buildings should be routinely inspected for areas of potential leaks.
- Streets and parking lots surrounding municipal buildings and facilities should be swept and kept clean to reduce runoff of pollutants and debris to the stormwater system.

**Storage of Petroleum Products and Potential Pollutants**

- Evaluate the use, storage and disposal of petroleum products and other potential stormwater pollutants.
- Routinely inspect buildings and facilities for areas of potential discharges or leaks.

**Spill Response**

- Ensure that spill prevention plans are in place (these should be included for maintenance garages, public works yards, transfer stations and other waste handling facilities see individual SWPPPs).
- Notify the facility’s supervisor immediately and ensure that other staff and/or members of the public are aware of the spill and removed from the spill area as appropriate.
- Coordinate with fire department as necessary.
- For large oil spills, NHDES Petroleum Spill Response program will be notified immediately at (603) 271-3644 and an emergency response contractor would be called in.
- Materials and equipment necessary for spill cleanup may include but are not limited to brooms, dust pans, mops, rags, gloves, goggles, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for the purpose.
- Spills of toxic or hazardous material will be reported to the appropriate State or local government agency as required by State and Local regulations.

**Measurable Goal(s)**

Implement the BMP’s on 100% of buildings and facilities.

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**BMP 6.3: Infrastructure and Vehicles and Equipment Operations and Maintenance Procedures**

**Written Document Completed** (by year 2) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7202/OM---Vehicles-and-Equipment>

**Responsible Department/Parties:** General Services Department

**Description:** The Town of Windham has established procedures for the storage of permittee vehicles. Vehicles with fluid leaks shall be stored indoors and containment shall be provided. Evaluate fueling areas owned by the permittee or used by permittee vehicles. Procedures have been established to ensure that vehicle wash waters are not discharged to municipal stormdrains or surface waters. Procedures have been established as outlined below and in accordance with Section 2.3.7.1.c of the MS4 permit.

**Responsible Department/Parties**

Town of Windham – Fire, Police, and General Service Division

**Training**

Annual maintenance procedures training will be made available to employees involved in Vehicle Equipment operations.

## **Best Management Practices**

The following best management practices (BMPs) will be implemented for all municipally owned or operated vehicles and equipment:

### **Vehicle Storage**

- Vehicles with fluid leaks shall be stored indoors or containment shall be provided until repaired.
- Monitor vehicles and equipment for leaks and use drip pans as needed until repairs can be performed.
- When drip pans are used, avoid overtopping.
- Drain fluids from leaking or wrecked vehicles and parts as soon as possible. Dispose of fluids properly.
- Store and park vehicles on impervious surfaces and/or under cover or indoors whenever possible.

### **Vehicle Maintenance**

- Conduct routine inspections of heavy equipment and vehicles to proactively identify maintenance needs or potential leaks.
- Perform routine preventive maintenance to ensure heavy equipment and vehicles are operating optimally.
- Recycle or dispose of waste properly and promptly.
- Sweep and pick up trash and debris as needed.
- Do not dump any liquids or other materials outside, especially near or in storm drains or ditches.

### **Fueling**

- Fueling areas owned or operated by the municipality should be covered if possible.
- Fueling areas should be evaluated to ensure that pollutants (e.g., gasoline or oil) do not enter the MS4.

### **Vehicle Washing Procedures**

Washing of vehicles should be washed in commercial wash whenever feasible, particularly for standard sedans and SUV vehicles. Outdoor washing of municipal vehicles should be avoided. Vehicle wash waters shall not be discharged to the MS4 or to surface waters.

Where no alternative wash system is available, and full containment of wash water cannot be achieved, adhere to the following procedures:

- Avoid discharge of any wash water directly to the storm drainage system or surface water (e.g., stream, pond, or drainage swale)
- Minimize the use of water to the extent practicable.
- Where the use of detergent cannot be avoided, use products that do not contain regulated contaminants. The use of a biodegradable, phosphate-free detergent is preferred.
- Do not use solvents except in dedicated solvent parts washer systems or in areas not connected to a sanitary sewer.
- Grassy and pervious (porous) surfaces may be used to promote direct infiltration of wash water, providing treatment before recharging groundwater and minimizing runoff to an adjacent stormwater system. Pervious surfaces or other infiltration-based systems should not be used within wellhead protection areas or within other protected resources.
- Impervious surfaces discharging to the storm drainage system should not discharge directly to a surface water unless treatment is provided. The treatment device should be positioned such that all drainage must flow through the device, preventing bypassing or short-circuiting.
- Periodic sweeping and/or cleaning should be completed to prevent accumulation from forming on the washing area.
- Maintain absorbent pads and drip pans to capture and collect spills or noticeable leaks observed during washing activities.

### **Indoor Vehicle Washing Procedures**

- Vehicles and equipment should be washed inside whenever possible to reduce runoff to the stormwater system.
- Where the use of detergent cannot be avoided, use products that do not contain regulated contaminants. The use of biodegradable, phosphate-free detergent is preferred.
- Detergents should not be used in areas where oil/water separators provide pre-treatment of drainage.
- Floor drains should be connected to a sanitary sewer or tight tank. Floor drains discharging to adjacent surface water bodies or engineered storm drain systems should be permanently plugged or otherwise abandoned before any vehicle wash activities are completed.
- Designate separate areas for routine maintenance and vehicle cleaning. This helps prevent contamination of wash water by motor oils, hydraulic lubricants, greases, or other chemicals.
- Dry cleanup methods are recommended within garage facilities. Do not wash down floors and work areas with water.
- Maintain absorbent pads and drip pans to capture and collect spills or noticeable leaks observed during washing activities.

### **Heavy Equipment Washing Procedures**

- Mud and heavy debris removal should occur on impervious surfaces or within a retention area.
- Maintain these areas with frequent mechanical removal and proper disposal of waste.
- Impervious surfaces with engineered storm drain systems should not discharge directly to a surface water.
- Floor drains should be connected to a sanitary sewer or tight tank. Floor drains discharging to adjacent surface waterbodies or engineered storm drain systems should be permanently plugged or otherwise abandoned before any vehicle wash activities are completed.
- Where the use of detergent cannot be avoided, use products that do not contain regulated contaminants. The use of biodegradable, phosphate-free detergent is preferred.
- Detergents should not be used in areas where oil/water separators provide pre-treatment of drainage.
- Maintain absorbent pads and drip pans to capture and collect spills or noticeable leaks observed during washing activities.

### **Measurable Goal(s)**

Implement the BMP's on 100% of the vehicles.

## INFRASTRUCTURE

### **BMP 6.4: Catch Basin Cleaning Program**

**Written Document Completed** (by year 1) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7204/OM---Catch-Basin-Cleaning>

**Responsible Department/Parties:** General Services Department

**Description:** The Windham General Services Department works with a vendor to perform routine inspections, cleaning, and maintenance of the approximately 2,800 catch basins that are located within the MS4 regulated area. The Town has implemented the following catch basin inspection and cleaning procedures to reduce the discharge of pollutants from the MS4.

- Routine inspection and cleaning of catch basins. Catch basins should be cleaned such that they are not more than 50 percent full at any time. The Town of Windham will initially inspect all catch basins within the regulated area within two (2) years of the effective date of the permit to evaluate sediment or debris accumulation and establish optimal inspection and maintenance frequencies to meet the “50 percent” goal.
- If a catch basin sump is more than 50% full during two consecutive routine inspections or cleaning events, the finding will be documented, the contributing drainage area will be investigated for sources of excessive sediment loading, and to the extent practicable, contributing sources will be addressed. If no contributing sources are found, the inspection and cleaning frequency will be increased.
- Catch basins located near construction activities (roadway construction, residential, commercial, or industrial development or redevelopment) will be inspected and cleaned more frequently if inspection and maintenance activities indicate excessive sediment or debris loadings (i.e., catch basins more than 50 percent full). Priority will also be given to catch basins that discharge to impaired waters.
- The following information will be included in each annual report:
  - Any action taken in response to excessive sediment or debris loadings
  - Total number of catch basins
  - Number of catch basins inspected
  - Number of catch basins cleaned
  - Total volume or mass of material removed from catch basins.

### **Catch Basin Cleaning Standard Operating Procedure**

The Town of Windham’s SOP on catch basin cleaning is as follows:

- If necessary, notify residents and businesses of catch basin cleaning schedule to restrict parking and other requirements that could obstruct catch basin cleaning operations.
- All catch basins and or manholes will be cleaned every three (3) years to maintain optimization while paying close attention to problem areas.
- Work will be carried out by subcontractors who possess the proper equipment and manpower needed to complete the task in a sufficient and timely manner.
- The Town shall provide subcontractors with printed maps and instructions for catch basin cleaning routes and maintenance assignments, instructions to include:
  - Working upstream to downstream.
  - Cleaning sediment and trash off grate and visually inspecting the outside of the grate.
  - Cleaning the catch basins using the “claw” method.

- Removing sediment that might have entered downstream pipe.
- Document any basins that are more than 50% full based on visual observations of sediment levels before and after cleaning.
- Inspecting catch basin for structural integrity.
- If the contractor observes or suspects contamination, they are not to remove the sediment but to notify the General Services Director for separate removal and testing for proper disposal.
- Document any and all observations about the condition of the catch basin structure and water quality on the Catch Basin Inspection Form (attached).
- Subcontractors shall be asked to fill out a Catch Basin Cleaning Log (see attached)
- Bringing collected sediment to the Town Facility on Marblehead Road for storage and potential reuse in accordance with Reuse guidelines below.
- All collected materials will be logged by estimated yardage and recorded as well as reported to the proper authorities as required.
- Any concerns with the quality or operation of a catch basin should be reported to the Windham, NH Highway Department and efforts will be made to address them as quickly as possible.

### **Reuse of Catch Basin Sediments**

Catch basin cleanings may be reused in compliance with current NH DES policies.

Catch basin residuals that are obviously contaminated with wastewater, animal waste, oils, gasoline, or other petroleum products must be tested pursuant to applicable hazardous waste determination requirements.

### **Measurable Goal(s)**

All catch basins are cleaned in accordance with these procedures such that no catch basin is more than 50% full at any given time.

### **Attachments**

Catch Basin Inspection Form

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## **BMP 6.5: Street Sweeping Program**

**Written Document Completed** (by year 1) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7203/OM---Street-Sweeping>

**Responsible Department/Parties:** General Services Department

**Description:** The Town of Windham has implemented the following street and parking lot sweeping procedures to reduce the discharge of pollutants from the MS4:

- All streets except for rural uncurbed roads with no catch basins or high-speed limited access highways will be swept and/or cleaned a minimum of once per year in the spring (following winter activities such as sanding).
- More frequent sweeping will be considered for targeted areas based on pollutant load reduction potential, inspections, pollutant loads, catch basin cleaning or inspection results, land use, impaired waters, or other factors.
- More frequent sweeping is required for municipally-owned streets and parking lots in areas that discharge to certain nutrient-impaired waters. Sweeping must be performed in these areas a minimum of two (2) times per year, once in the spring (following winter activities such as sanding) and at least once in the fall (Sept 1 – Dec 1; following leaf fall).
- For rural uncurbed roadways with no catch basins and limited access highways, the Town of Windham will either meet the minimum frequencies above, or develop and implement an inspection, documentation, and targeted sweeping plan outlining reduced frequencies within two (2) years of the effective date of the permit, and submit such plan with its year one annual report.
- The following information will be included in each annual report:
  - Number of miles cleaned or the volume or mass of material removed.

### **Roadway Power Sweeping Standard Operating Procedure**

The Town of Windham's SOP on road power sweeping is as follows:

- If necessary, notify residents and businesses of catch basin cleaning schedule to restrict parking and other requirements that could obstruct catch basin cleaning operations.
- The Town will sweep all municipally owned and maintained roads as well as town paved parking areas once annually.
  - In the event of a storm or other concerns, some areas may be swept more than once in a season.
- Sweeping is to start in late April or May depending on the winter and early spring weather conditions.
- All sweeping on municipally owned and maintained roads and parking areas will be completed no later than June.
- Work will be carried out by subcontractors who possess the proper equipment and manpower needed to complete the task in a sufficient and timely manner.
- The Town shall provide subcontractors with printed maps and instructions for sweeping routes and maintenance assignments, instructions to include:
  - Roads are to be swept to the edge of pavement or to existing curbing where such is in place.
  - Avoid pushing materials into or around storm drains and catch basins
  - Subcontractors shall be asked to fill out a Sweeping Log as the work is completed (see attached)
  - Bringing collected sediment to the Town Facility on Marblehead Road for storage and potential reuse in accordance with the Town's SOP for Reuse of Street Wastes.
- All debris is to be tracked by load and estimated number of yards removed.
- The information will be logged, recorded, and or reported to the proper authorities as needed.

- Any concerns should be reported to the Windham, NH Highway Department and efforts will be made to address them as quickly as possible.

### **Reuse of Road Sweeping Materials**

Road sweepings and roadside ditch cleanup soils may be reused without restriction in accordance with the provisions found in NH DES Environmental Fact Sheet WMD-SW-32 (2009), attached to this document.

### **Measurable Goal(s)**

Annually sweep 100% of all curbed streets and municipal parking lots within the MS4 in accordance with these procedures.

### **Attachments**

Street Sweeping Log Form

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## **BMP 6.6: Winter Road Maintenance Program**

**Written Document Completed** (by year 1) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7206/OM---Winter-Road-Maintenance>

**Responsible Department/Parties:** General Services Department

### **Description**

The Town of Windham performs a variety of maintenance activities to ensure as best as possible safe winter driving conditions on its roads and parking lots.

The Town of Windham's adopted a Winter Operations Policy: Snow Removal and Ice Control Procedures. Adherence to this Ordinance and the following winter maintenance procedures the Town will help to reduce the discharge of pollutants from the MS4.

- Minimize the use and optimize the application of sodium chloride and other salt (while maintaining public safety) and consider opportunities for use of alternative materials.
- Optimize sand and/or chemical application rates through the use, where practicable, of automated application equipment (e.g., zero velocity spreaders), anti-icing and pre-wetting techniques, implementation of pavement management systems, and alternate chemicals. Maintain records of the application of sand, anti-icing and/or de-icing chemicals to document the reduction of chemicals to meet established goals.
- Prevent exposure of deicing product (salt, sand, or alternative products) storage piles to precipitation by enclosing or covering the storage piles. Implement good housekeeping, diversions, containment or other measures to minimize exposure resulting from adding to or removing materials from the pile. Store piles in such a manner as not to impact surface water resources, groundwater resources, recharge areas, and wells.
- The MS4 Permit prohibits snow disposal into waters of the United States. Snow disposal activities, including selection of appropriate snow disposal sites, will adhere to the New Hampshire Department of Environmental Services guidelines.
- Provide training for municipal employees on winter roadway maintenance procedures.

**Measurable Goal(s):** Evaluate at least one salt/chloride alternative for use in the municipality. Monitor salt usage by the Town of Windham.

### **Attachments:**

Winter Operations Policy: Snow Removal and Ice Control Procedures.

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## **BMP 6.7: Stormwater Treatment Structures Inspection and Maintenance Procedures**

**Written Document Completed** (by year 1) ☒

**Document Name and/or Web Address:**

<https://windhamnh.gov/DocumentCenter/View/7205/OM---Treatment-Structures>

**Responsible Department/Parties:** General Services Department

**Description:** Structural stormwater BMPs (excluding catch basins) will be inspected annually at a minimum and maintained as needed.

### **Catch Basin Maintenance and Repair Standard Operating Procedure**

The Town of Windham's SOP on catch basin inspection and maintenance is as follows:

- Identify structures/equipment in need of repair during catch basin cleaning operations and prioritize need.
- Repair structures/equipment as soon as possible in order of prioritization. NEVER ALLOW DEFECTIVE STRUCTURES TO GO UNREPAIRED.
- Complete Catch Basin Maintenance/Repair Log, see attached, as the catch basin maintenance is performed.
  - Document any maintenance required (i.e. new grates, corrosion, erosion around structure, obstructions damaged roadway, etc.).
  - Keep a record of the date the repair was performed and what was done to repair the issue.
- Use appropriate erosion and sediment control practices when performing repairs.
- If necessary, remove sediment that might have entered downstream pipe.

### **Measurable Goal(s)**

Inspect and maintain 100% of treatment structures to ensure they are properly functioning.

### **Attachments**

Catch Basin Maintenance/Repair Log

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### **BMP 6.8: SWPPP**

**Written Document Completed** (by year 2) ☒

**Document Name and/or Web Address:** <https://www.windhamnh.gov/450/Stormwater-Management>

**Responsible Department/Parties:** General Services Department

**Description:** Develop and implement a SWPPP for all municipally-owned or operated facilities in accordance with Section 2.3.7.2 of the MS4 permit.

**Measurable Goal(s):** Develop and implement SWPPP's for municipally owned facilities required by Section 2.3.7.2 of the MS4 permit.

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### **BMP 6.9: Training of Town Staff**

**Training Completed** (by year 2) ☒

**Document Name and/or Web Address:** Discussion-style training. Topic varies per pertinent topic.

**Responsible Department/Parties:** Administration and Stormwater Team

**Description:** Annually provide education and training to Town staff on required/recommended good housekeeping procedures for municipal facilities.

**Measurable Goal(s):** Conduct annual training.

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# Annual Evaluation

## **Year 1 Annual Report**

**Document Name and/or Web Address:** <https://windhamnh.gov/DocumentCenter/View/7109/Year-1-Annual-Report-2018-2019>

## **Year 2 Annual Report**

**Document Name and/or Web Address:**

## **Year 3 Annual Report**

**Document Name and/or Web Address:**

## **Year 4 Annual Report**

**Document Name and/or Web Address:** TBD

## **Year 5 Annual Report**

**Document Name and/or Web Address:** TBD

## **Year X Annual Report**

**Document Name and/or Web Address:** TBD

Scheduled planning board approval July 1

# **TMDLs and Water Quality Limited Waters**

# Bacteria/Pathogens

## Combination of Impaired Waters Requirements and TMDL Requirements as Applicable

<b>Applicable Receiving Waterbody(ies) as listed in Appendix F of the MS4 permit and provided in the most recent approved list of impaired waterbodies.</b>	<b>TMDL/Impairment Name (if applicable)</b>
Town Beach – Cobbetts Pond NHLAK700061204-01-03	Escherichia coli (Bacteria)

### Annual Requirements Beginning Year 1

- Rank outfalls to these receiving waters as high priority for IDDE implementation in the initial outfall ranking (see IDDE Plan for ranking).
- Annual message encouraging the proper management of pet waste, including noting any existing ordinances where appropriate as outlined in this SWMP.

# Phosphorus Impairment\*

(\* see Lake and Pond Phosphorus TMDL)

Applicable Receiving Waterbody(ies)	TMDL/Impairment Name (if applicable)
NHLAK700061204 (Cobbetts Pond)	Phosphorus

## Annual Requirements Beginning Year 1

- Rank outfalls to these receiving waters as high priority for IDDE implementation in the initial outfall ranking (see IDDE Plan for ranking).
- Distribute an annual message that encourages the proper use and disposal of grass clippings and encourages the proper use of slow-release and phosphorus-free fertilizers as outlined in this SWMP.
- Distribute an annual message encouraging the proper management of pet waste, including noting any existing ordinances where appropriate as outlined in this SWMP.
- Distribute an annual message in the encouraging the proper disposal of leaf litter as outlined in this SWMP.
- Increase street sweeping frequency of all municipal owned streets and parking lots subject to Permit part 2.3.7.a.iii.(c) to a minimum of two times per year (Spring and Fall) as outlined in this plan.
- Establish procedures to properly manage grass cuttings and leaf litter on permittee property, including prohibiting blowing organic waste materials onto adjacent impervious surfaces.
- Retrofit inventory and priority ranking under 2.3.6.1.b. shall include consideration of BMPs to reduce phosphorus discharges.
- Any structural BMPs listed in Table 3 of Attachment 1 to Appendix H already existing or installed in the regulated area by the permittee or its agents shall be tracked and the permittee shall estimate the phosphorus removal by the BMP consistent with Attachment 1 to Appendix H. Document the BMP type, total area treated by the BMP, the design storage volume of the BMP and the estimated phosphorus removed in pass per year by the BMP in each annual report.

#### Requirements Due by Year 2

- The requirement for adoption/amendment of the permittee's ordinance or other regulatory mechanism shall include a requirement that new development and redevelopment stormwater management BMPs be optimized for phosphorus removal.

#### Requirements Due by Year 4

- Complete a Phosphorus Source Identification Report.
- The document name (if attached) and/or web address is/are: TBD
- Retrofit inventory and priority ranking under 2.3.6.1.b. shall include consideration of BMPs that infiltrate stormwater where feasible.

#### Requirements Due by Year 5

- Evaluate all permittee-owned properties identified as presenting retrofit opportunities or areas for structural BMP installation under Permit part 2.3.6.d.ii or identified in the Phosphorus Source Identification Report that are within the drainage area of the impaired water or its tributaries.
- Complete a listing of planned structural BMPs and a plan and schedule for implementation.

# Nitrogen Impairment

Applicable Receiving Waterbody(ies)	TMDL/Impairment Name (if applicable)
None	

# Solids, Oil and Grease (Hydrocarbons), or Metals Impairments

Applicable Receiving Waterbody(ies)	TMDL/Impairment Name (if applicable)
NHRIV700061102-18 (Policy/Porcupine Brook)	Iron

## Annual Requirements Beginning Year 1

- Rank outfalls to these receiving waters as high priority for IDDE implementation in the initial outfall ranking (See IDDE Plan for ranking).
- Increase street sweeping frequency of all municipal owned streets and parking lots to a schedule to target areas with potential for high pollutant loads as prescribed by this SWMP.
- Prioritize inspection and maintenance for catch basins to ensure that no sump shall be more than 50 percent full; clean catch basins more frequently if inspection and maintenance activities indicate excessive sediment or debris loadings as prescribed by this SWMP.

## Requirements Due by Year 2

- Stormwater management systems designed on commercial and industrial land use area draining to the water quality limited water body shall incorporate designs that allow for shutdown and containment where appropriate to isolate the system in the event of an emergency spill or other unexpected event.

# Lake and Pond Phosphorus TMDL

Applicable Receiving Waterbody(ies)	PCP Complete	TMDL/Impairment Name (if applicable)
None Listed in Appendix F, Section III	<input type="checkbox"/>	
	<input type="checkbox"/>	
	<input type="checkbox"/>	

# Chloride Impairment

<b>Applicable Receiving Waterbody(ies)</b>	<b>TMDL/Impairment Name</b> (if applicable)
None listed under 2.2.d.i.1.	

# Chloride TMDL

<b>Applicable Receiving Waterbody(ies)*</b>	<b>TMDL/Impairment Name (if applicable)</b>
Dinsmore Brook	Chloride
Policy-Porcupine Brook	Chloride
Unnamed Brook to Western Embayment	Chloride

\*No MS4 discharges are documented to the North Tributary to Canobie Lake and Beaver Brook is not listed in Windham per <https://www.epa.gov/tmdl/region-1-approved-tmdls-state#tmdl-nh>

## Annual Requirements Beginning Year 1

- Review existing Chloride Reduction Plan prepared by the NHDES.
- Meet the requirements of Appendix F – Part I.2 including:
  - Keep a written copy (hard copy or electronic) of the NHDES Chloride Reduction Plan as part of the Town's SWMP; and
  - Implement operator-specific permit requirements included in the Town's Authorization Letter from EPA.
- Implement the measures set forth in the NHDES Chloride Reduction Plan.

# Measures to Avoid or Minimize Impacts to Public and Known Private Drinking Water Sources (Surface Water and Groundwater)

Canobie Lake is a public surface water and drinking water supply for the Town of Salem.

Residences and businesses not connected to the community water supply system(s) are served by onsite drinking water wells.

Following is a list of the Registered Community Wells and the one known public surface water source in Windham:

Name	Address	Type	Population Served
Canobie Lake	Range Rd	Salem Drinking Water	~18,000
Town Hall	3 North Lowell Rd	Municipal Building Community Well	25
PEU – Golden Brook	Sharon Rd	Single Family Residences	315
PEU – W and E	West Shore Rd	Single Family Residences	523
Braemar Woods Condos	Braemar Rd	Condominiums	60
PEU – Hardwood Hts – Birch Hill	N Lowell Rd	Condominiums	167
Villages of Windham	RTE 28	Condominiums	145
Wynridge Condos	14 Wynridge Rd	Condominiums	58
McAuley Commons	37 Searles Rd	Senior Housing	25
PEU – Castle Reach	82 Searles Rd	Single Family Residences	100
PEU – Fletcher Estates	21 Corliss Rd	Single Family Residences	135
Hadleigh Woods	22 Hadleigh Rd	Senior Housing	93
PEU – Lamplighter	Mountain Village Rd	Condominiums	162
PEU – Spruce Pond Estates	11 Northland Rd	Single Family Residences	120
Camelot 111	17 Sheffield St	Single Family Residences	30
Wood Meadow Estates	1 Acadia Drive	Single Family Residences	25
Warde Rehabilitation / Nursing	21 Searles Rd	Resident Homes (Nursing, Group, Live in)	148
Gateway Park	Gateway Blvd.	Commercial Business Park	~25 currently
Windham Terrace	3 Church Rd	Resident Homes (Nursing, Group, Live in)	110

The NHDES has resources available to assist those on private wells in monitoring their water quality. These include but are not limited to:

- The NHDES Be *Well* Informed Guide;
- NHDES Private Well Brochure;
- NHDES Private Well testing Program;

These resources are available at: <https://www4.des.state.nh.us/DWITool/>

Additional resources are available at: <https://windhamnh.gov/450/Stormwater-Management>

The Water Research Foundation has a fact sheet available describing measures that can be taken to protect groundwater potable water supplies from impacts associated with stormwater. The fact sheet is can be viewed at: [http://www.waterrf.org/knowledge/source-water-protection-and-management/FactSheets/SourceWater\\_FactSheet\\_landUse.pdf](http://www.waterrf.org/knowledge/source-water-protection-and-management/FactSheets/SourceWater_FactSheet_landUse.pdf)

# **APPENDIX A**



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MA 02109-3912**

**VIA EMAIL**

March 18, 2019

Jennifer Simmons  
Board of Selectmen

And;

David Sullivan  
Town Administrator  
4 North Lowell Road  
Windham, NH 03087  
townadmin@windhamnh.gov

Re: National Pollutant Discharge Elimination System (NPDES) Permit ID: NHR041035, Town of Windham, NH

Dear David Sullivan:

Your Notice of Intent (NOI) for coverage under the 2017 NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in New Hampshire (MS4 General Permit) has been reviewed by EPA and appears to be complete. You are hereby granted authorization by EPA to discharge stormwater from your MS4 in accordance with applicable terms and conditions of the MS4 General Permit, including all applicable Appendices. This authorization to discharge expires at midnight on **June 30, 2023**.

For those permittees that certified Endangered Species Act eligibility under Criterion C in their NOI, this authorization letter also serves as EPA's concurrence with your determination that your discharges will have no effect on the listed species present in your action area, based on the information provided in your NOI.

As a reminder, your first annual report is due by **September 30, 2019** for the reporting period from May 1, 2018 through June 30, 2019.

Information about the permit and available resources can be found on our website: <https://www.epa.gov/npdes-permits/new-hampshire-small-ms4-general-permit>. Should you have

any questions regarding this permit please contact Suzanne Warner at [warner.suzanne@epa.gov](mailto:warner.suzanne@epa.gov) or (617) 918-1383.

Sincerely,

A handwritten signature in blue ink that reads "Thelma Murphy". The signature is written in a cursive style with a long, sweeping underline.

Thelma Murphy, Chief  
Stormwater and Construction Permits Section  
Office of Ecosystem Protection  
United States Environmental Protection Agency, Region 1

# Notice of Intent (NOI) for coverage under Small MS4 General Permit Page 1 of 20

## Part I: General Conditions

### General Information

Name of Municipality or Organization:  State:

EPA NPDES Permit Number (if applicable):

### Primary MS4 Program Manager Contact Information

Name:  Title:

Street Address Line 1:

Street Address Line 2:

City:  State:  Zip Code:

Email:  Phone Number:

Fax Number:

### Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):

### Eligibility Determination

Endangered Species Act (ESA) Determination Complete?

Eligibility Criteria (check all that apply): ☐ A ☐ B ☒ C

National Historic Preservation Act (NHPA) Determination Complete?

Eligibility Criteria (check all that apply): ☒ A ☐ B ☐ C ☐ D

☒ Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

### MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? (Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)

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

Web address where MS4 map is published:

If outfall map is unavailable on the Internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)

### Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? (Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted? (Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post-Construction Stormwater Management Adopted? (Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)

Effective Date or Estimated Date of Adoption (MM/DD/YY):

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

### Part II: Summary of Receiving Waters

Please list the 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.

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

Waterbody that receives flow from the MS4 and segment ID if applicable	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Cobbetts Pond - NHLAK700061204-01-01	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	pH, Cyanobacteria hepatotoxic microcystins, Non-native aquatic plants, Mercury
Cobbetts Pond - Town Beach - NHLAK700061204-01-03	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cyanobacteria hepatotoxic microcystins, Mercury
Unnamed Brook - NHRIV700061204-14	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Canobie Lake - NHLAK700061102-02	12	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Policy Brook - Porcupine Brook - NHRIV700061102-18	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury, pH, Iron, Arsenic [Habitat Assessment & Benthic-Macroinvertebrate Bioassessments]
Beaver Brook - NHRIV700061203-21	8	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	pH, Mercury
Rock Pond Smith Rd Inlet - NHRIV700061204-08	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	pH, Mercury
Connies Brook - NHRIV700061204-06	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Unnamed Brook - to Beacon Hill Estates Detention Pond - NHRIV700061203-18	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Searles School Brook - NHRIV700061102-22	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Unnamed Brook - NHRIV700061203-39	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Shadow Lake - NHLAK700061102-09-01	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	pH, Mercury
Flatrock Brook - NHRIV700061102-13	10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Golden Brook - NHRIV700061204-03	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Rock Pond - NHLAK700061204-03	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Moeckel Pond - NHLAK700061204-04	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Golden Brook - NHRIV700061204-02	5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury
Unnamed Brook - NHRIV700061204-15	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mercury

Click to lengthen table

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

### Part III: Stormwater Management Program Summary

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

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

#### MCM 1: Public Education and Outreach

<b>BMP Media/Category</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Targeted Audience</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b>	<b>Beginning Year of BMP Implementation</b>
Various delivery methods	Varied. Use NH Stormwater Coalition outreach materials and guidance to implement outreach for relevant impairments.  *See Note 2 in Section IV.	Residents	Community Development Department - Rex Norman with NH Region	To be determined with the Stormwater Coalition. Examples: 1) Increased awareness of proper fertilized use. 2) Increased awareness of pet waste impacts to water quality. 3) Increased awareness of yard waste impacts to water quality. 4) Increased septic system testing.	Year 1
Various delivery methods	Varied. Use NH Stormwater Coalition outreach materials and guidance to implement outreach for relevant impairments.  *See Note 2 in Section IV.	Businesses, Institutions and Commercial Facilities	Community Development Department - Rex Norman with NH Region	To be determined with the Stormwater Coalition.	Year 1

[illegible]

Town of Windham

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

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

## MCM 2: Public Involvement and Participation

[illegible]

Town of Windham


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

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

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

<b>BMP Categorization</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
*See Note 3 in Section IV			
Storm sewer system map	Update map to add required details.	General Services Department - Jack McCartney and Information Technology	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit.
Written IDDE program development	Create written IDDE program.	General Services Department - Jack McCartney and Community Development	Complete within 1 year of the effective date of permit and update as required.
Implement IDDE program	Implement catchment investigations according to program and permit conditions.	General Services Department - Jack McCartney and Community Development	Complete 10 years after effective date of permit.
Implement employee training	Train employees on IDDE implementation.	Town Administrator - David Sullivan	Provide training annually.
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions in section 2.3.4.7.b.	General Services Department - Jack McCartney and Community Development	Complete 3 years after effective date of permit, update annually and based on results of dry weather screening.
Conduct wet weather screening	Conduct in accordance with outfall screening procedures and permit conditions in section 2.3.4.7. b.	General Services Department - Jack McCartney and Community Development	Complete 10 years after effective date of permit.
Ongoing screening	Conduct dry weather and wet weather screening (as necessary).	General Services Department - Jack McCartney and Community Development	Complete ongoing outfall screening on completion of IDDE program.


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

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

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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
Continue site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures.	Community Development Department (CDD) - Dick Gregory	Complete within 1 year of the effective date of permit.
Prepare written procedures for site plan review	Document written procedures in regulations for site plan review and continue implementation.	CDD - Dick Gregory	Complete within 1 year of the effective date of permit.
Erosion and sediment control	Review (and update as required) existing requirements for construction operators to implement a sediment and erosion control program.	CDD - Dick Gregory	Complete within 1 year of the effective date of permit.
Construction and site waste control	Review (and update as required) existing requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes.	CDD - Dick Gregory	Complete within 1 year of the effective date of permit.


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

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

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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)
As-built plans for on-site stormwater control	Enact procedures in accordance with permit requirements in Section 2.3 to require submission of as-built plans and ensure long term operations and maintenance as part of the SWMP.	Community Development Department (CDD) - Dick Gregory	Require submission of as-built plans for completed projects.
Target properties to reduce impervious areas	Complete an inventory and priority ranking of permittee-owned property and existing infrastructure that could be retrofitted with BMPs designed to reduce the frequency, volume and pollutant loads of stormwater discharges to its MS4 through the mitigation of impervious area.	CDD - Dick Gregory	Complete 4 years after effective date of permit and report annually on retrofitted properties.
Determine feasibility and allow for green infrastructure implementation	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist.	CDD - Dick Gregory	Complete 4 years after effective date of permit and implement recommendations of report.
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	CDD - Dick Gregory	Complete 4 years after effective date of permit and implement recommendations of report.

[illegible]

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

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

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

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
Operation and Maintenance (O&M) procedures	Create written O&M procedures including all requirements contained in 2.3.7.1 for parks and open spaces, buildings and facilities, and vehicles and equipment.	General Services - Jack McCartney and Recreation Coordinator - Cheryl	Complete and implement 2 years after effective date of permit.	Year 2
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory.	General Services Department - Jack McCartney	Complete 2 years after effective date of permit and implement annually.	Year 2
Infrastructure O&M	Establish and record annually implementation of program activities for maintenance, repair and rehabilitation of MS4 infrastructure.	General Services Department - Jack McCartney	Complete 2 years after effective date of permit.	Year 2
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for municipal properties or individual facilities per requirements of section 2.3.7.2.	General Services Department - Jack McCartney	Complete 2 years after effective date of permit.	Year 2
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, ensure proper storage of basin cleanings.	General Services Department - Jack McCartney	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually.	Year 1

[illegible]

# 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**. If submitting a NHDES approved alternative reduction plan, attach and submit it with the NOI.

[illegible]

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

## Actions for Meeting Requirements Related to Water Quality Limited Waters

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

[illegible]

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

### Part IV: Notes and additional information

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

Provide any additional information about your MS4 program below.

The MS4 map prepared under the 2003 Permit was recently converted from rough map segments, notes and coordinates to a digital format. The waterbodies to which each outfall discharges will be reevaluated as part of the map refinement.

Attached please find documentation received from the United States Department of the Interior related to the Endangered Species Act inquiry. The Northern Long Eared Bat is within our MS4, but no planned activities under this permit are expected to affect the bat. We will consult with US Fish and Wildlife as needed during the permit term related to any future BMPs.

Note 1 - There are no known MS4 outfalls to the following impaired waters:

Cobbetts Pond - Duncan (Duncan) Beach - NHLAK700061204-01-04

Seavey Pond - NHLAK700061102-08

Unnamed Brook - NHRIV700061203-11 (Derry)

Note 2 - MCM 1 Requires a minimum of two messages to the four audiences listed for a total of eight messages over permit term. Additional messaging may be required under Appendix H for Water Quality Limited Waterbodies.

Note 3 - Windham does not have any municipally owned public sanitary sewer collection or treatment systems.

Note 4 - The MODEL STORMWATER STANDARDS FOR COASTAL WATERSHED COMMUNITIES is available at:  
[https://www.unh.edu/unhsc/sites/unh.edu.unhsc/files/Final\\_SWA\\_SWStandards\\_Dec\\_20121\\_0.pdf](https://www.unh.edu/unhsc/sites/unh.edu.unhsc/files/Final_SWA_SWStandards_Dec_20121_0.pdf)

Note 5 - Under Actions for Meeting Requirements Related to Water Quality Limited Waters, there are additional pollutants on Windham's 303(d) list, but, they have been omitted from the table as there are no applicable Action Descriptions in Appendix H.

There are no known direct connections to other regulated MS4 infrastructure. As the map is refined, this understanding will be confirmed.

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

Page 20 of 20

### Part V: Certification

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (40 CFR 122.22)*

Name:

Jennifer Simmons

Title:

Board of Selectmen Member

Signature:

*Jennifer Simmons*

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

Date:

9/27/18

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



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
New England Ecological Services Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5094  
Phone: (603) 223-2541 Fax: (603) 223-0104  
<http://www.fws.gov/newengland>



In Reply Refer To:

September 20, 2018

Consultation Code: 05E1NE00-2018-SLI-3155

Event Code: 05E1NE00-2018-E-07404

Project Name: Windham MS4

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

### To Whom It May Concern:

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

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

## Official Species List

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

This species list is provided by:

**New England Ecological Services Field Office**

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

## Project Summary

Consultation Code: 05E1NE00-2018-SLI-3155

Event Code: 05E1NE00-2018-E-07404

Project Name: Windham MS4

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

Project Description: There is no construction planned related to the MS4 Permit process. If future construction projects are planned, Consultation will be revisited.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.805334237080125N71.24754542675176W>



Counties: Hillsborough, NH | Rockingham, NH

## Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## Mammals

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

## Critical habitats

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

Ref#	Prefix	Historic Name	Other Name(s)	Multiple Name	Listing Date	NHL Date	Federal Agency	National Park	City	County	State	Address	Restricted	Significant Person	Architect	Request Type	Secondary Status	Code
82001694		Searles School and Chapel			1/11/1982				Windham	Rockingham	NH	Range and Searles Rds.	FALSE		Vaughan, Henry	Single	Listed	

# **APPENDIX B**



## ***TOWN OF WINDHAM, NEW HAMPSHIRE***

**OFFICE OF THE BOARD OF SELECTMEN/TOWN ADMINISTRATOR**

**3 NORTH LOWELL ROAD – WINDHAM, NEW HAMPSHIRE 03087**

**PH: 603 432-7732 FAX: 603 965-1234 EMAIL: TOWNADMIN@WINDHAMNH.GOV**

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June 28, 2019

Re: ***Windham Stormwater Management Plan***

To Whom it May Concern:

In accordance with GP Appendix B, subsection 11.B of the 2016 MS4 General Permit, the purpose of this letter is to confirm that, as part of our regularly scheduled meeting on June 17, 2019, the Board of Selectmen voted 4-0 to authorize Town Administrator David Sullivan to sign and submit the Town of Windham's finalized Stormwater Management Plan.

In closing, should there be any questions, or anything further required regarding this matter, please feel free to contact me.

Respectfully,

Ross McLeod, Chair  
Windham Board of Selectmen

## **APPENDIX C**

The MS4 Map is found here: <https://www.axisgis.com/windhamnh/>

## **APPENDIX D**

Ongoing updates to documentation related to GP Section 2.1.1.d. is maintained with the hard copy of the Stormwater Management Plan (SWMP).

# **APPENDIX E**

The listing of the Interconnected MS4s is maintained with the hard copy of the SWMP.

# **APPENDIX F**

Ongoing updates to documentation related to GP Section 1.10.2.b., c., and d. is maintained with the hard copy of the Stormwater Management Plan (SWMP).

## **APPENDIX G**

Ongoing updates to documentation related to additional elements required to be documented in the SWMP is maintained with the hard copy of the SWMP.

# **APPENDIX H**

