

Tighe&Bond

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APPENDIX B

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: Town of Granby State: MA

EPA NPDES Permit Number (if applicable): MA041007

Primary MS4 Program Manager Contact Information

Name: David Desrosiers, P.E. Title: Highway Superintendent

Street Address Line 1: Highway Department, Senior Center Building, 2nd Floor

Street Address Line 2: 10-B West State Street

City: Granby State: MA Zip Code: 01033

Email: DaveD@GranbyMA.org Phone Number: (413) 467-7575

Fax Number: (413) 467-2080

Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed): Physical location: Highway Department Office on the 2nd floor of the Senior Center Building at 10-B West State Street in Granby, MA

Eligibility Determination

Endangered Species Act (ESA) Determination Complete? Yes

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

National Historic Preservation Act (NHPA) Determination Complete? Yes

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

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

MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete? 100% 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? Yes Effective Date or Estimated Date of Adoption (MM/DD/YY): 04/24/08

Construction/Erosion and Sediment Control (ESC) Authority Adopted? Yes Effective Date or Estimated Date of Adoption (MM/DD/YY): 04/24/08

Post- Construction Stormwater Management Adopted? Yes Effective Date or Estimated Date of Adoption (MM/DD/YY): 04/24/08

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

Part II: Summary of Receiving Waters

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

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

Check off relevant pollutants for discharges to impaired waterbodies (see above 303(d) lists) without an approved TMDL in accordance with part 2.2.2.a of the permit. List any other pollutants in the last column, if applicable.

Waterbody segment that receives flow from the MS4	Number of outfalls into receiving water segment										Other pollutant(s) causing impairments
		Chloride	Chlorophyll-a	Dissolved Oxygen/DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	
Bachelor Brook (MA34-07)	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"/>	Nutrient/Eutrophication Biological Indicators
Wetland/Tributary to Bachelor Brook	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"/>	Nutrient/Eutrophication Biological Indicators
Muddy Brook	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"/>	
Pitchawam Swamp	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"/>	
Stony Brook (MA34-19)	4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-Native Aquatic Plants (TMDL not required)
Wetland/Tributary to Stony Brook	16	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wetland/Tributary to Aldrich Lake West	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"/>	
Other MS4 Outfalls in Regulated Area	43	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

Part III: Stormwater Management Program Summary

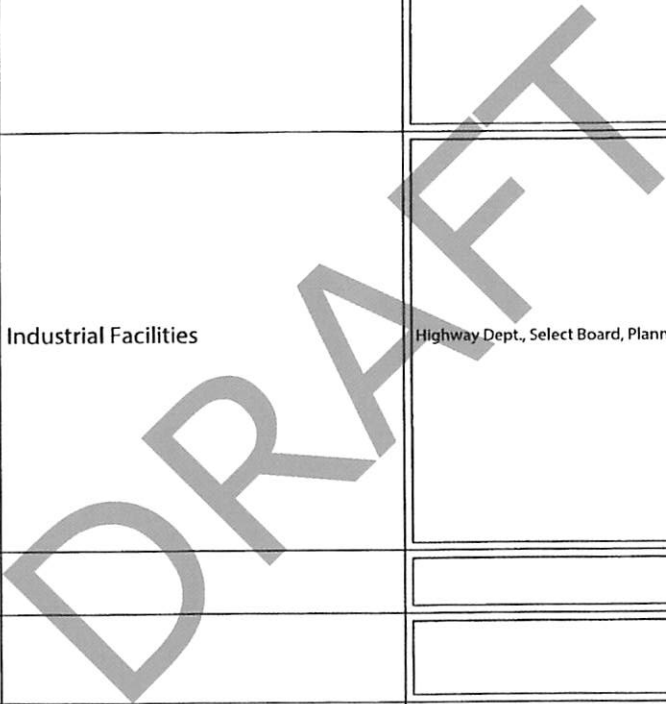
Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA),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

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

MCM 1: Public Education and Outreach

BMP Media/Category <small>(enter your own text to override the drop down menu)</small>	BMP Description	Targeted Audience	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>	Measurable Goal	Beginning Year of BMP Implementation
Multi-media (print and web materials)	1A - Education and outreach on stormwater management topics of significance in Granby (including proper pet waste management, proper use of pesticides and fertilizers). Educational topics will include but are not limited to those in Part 2.3.2.d.i	Residents	Highway Dept., Select Board, Planning Board, Board of Health, PVPC	Distribute a minimum of two (2) educational messages spaced at least a year apart	2018
Multi-media (print and web materials)	1B - Education and outreach on stormwater management topics of significance in Granby (including proper lawn maintenance, parking lot sweeping). Educational topics will include but are not limited to those in Part 2.3.2.d.ii	Businesses, Institutions and Commercial Facilities	Highway Dept., Select Board, Planning Board, Board of Health, PVPC	Distribute a minimum of two (2) educational messages spaced at least a year apart	2019

<p>Multi-media (print and web materials)</p>	<p>1C - Education and outreach on stormwater management topics of significance in Granby (including proper erosion and sedimentation control, permit requirements, and design standards). Educational topics will include but are not limited to those in Part 2.3.2.d.iii</p>	<p>Developers (construction)</p>	<p>Highway Dept., Select Board, Planning Board, Board of Health, PVPC</p>	<p>Distribute a minimum of two (2) educational messages spaced at least a year apart</p>	<p>2018</p>
<p>Multi-media (print and web materials)</p>	<p>1D - Education and outreach on stormwater management topics of significance in Granby (including pollution prevention, illicit discharges, information about the Multi-Sector General Permit). Educational topics will include but are not limited to those in Part 2.3.2.d.iv</p>	<p>Industrial Facilities</p>	<p>Highway Dept., Select Board, Planning Board, Board of Health, PVPC</p>	<p>Distribute a minimum of two (2) educational messages spaced at least a year apart</p>	<p>2019</p>



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

Part III: Stormwater Management Program Summary (continued)

MCM 3: Illicit Discharge Detection and Elimination (IDDE)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
3A - IDDE Ordinance/Bylaw	Complete. Continue to enforce and update if necessary.	Highway Department	Update as required	2018
3B - SSO inventory	Develop SSO inventory in accordance of permit conditions	Highway Department	Complete within 1 year of effective date of permit. Track # of SSOs identified and removed annually	2018
3C - Storm sewer system map	Outfall inventory complete. Improve map during IDDE program implementation	Highway Department	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2018
3D - Written IDDE program	Create written IDDE program	Highway Department	Complete written IDDE program within 1 year of the effective date of permit, update components annually as needed	2018
3E - Employee training	Train employees on IDDE implementation	Highway Department	Train annually. Track employees trained, training topic, date/time, and materials presented	2018
3F - Assessment and Priority Ranking of Outfalls & Interconnections	1. Dry Weather Outfall Screening & Sampling in accordance with IDDE Plan and permit conditions	Highway Department	Complete 3 years after permit effective date. Track # of illicit discharges identified & volume removed. Summarize sampling results	2018
3F - Assessment and Priority Ranking of Outfalls & Interconnections	2. Catchment Investigations according to IDDE Program and permit conditions	Highway Department	Complete 10 years after permit effective date. Track # and percentage of MS4 catchments evaluated. Track # of illicit discharges identified & volume removed. Summarize screening/sampling results	2019

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

Part III: Stormwater Management Program Summary (continued)

MCM 4: Construction Site Stormwater Runoff Control

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
4A - Construction Bylaw and Regulations, Site Plan Review Procedures	Modify local bylaw and regulations, if necessary, to contain new MS4 provisions per section 2.3.5.	Highway Dept., Select Board, Planning Board, ConCom, Town Counsel, BOH, ZBA	Review current procedures and modify if necessary within 1 year of permit effective date	2018
4B - Site Inspections, Enforcement of Sediment & Erosion Control	Develop and implement written procedures for site inspections and enforcement procedures per section 2.3.5.	Highway Dept., Select Board, Planning Board, ConCom, Town Counsel, BOH, ZBA	Inspect 100% of construction sites as outlined in the document and take enforcement actions as needed	2018

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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
5A - Post-Construction Bylaw and Regulations	Modify local bylaw and regulations to contain new MS4 provisions per section 2.3.6.a.	Highway Department	Modify existing bylaw and/or regulations if necessary within two (2) years of permit effective date	2019
5B - Assess street 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	Select Board, Town Counsel, Planning Board, PVPC CRSWC	Complete report no later than 4 years of permit effective date	2020
5C - Assess allowing green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	Select Board, Town Counsel, Planning Board, PVPC CRSWC	Complete report no later than 4 years of permit effective date	2020

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

Part III: Stormwater Management Program Summary (continued)

MCM 6: Municipal Good Housekeeping and Pollution Prevention

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
6A - Operation & Maintenance (O&M) Procedures - Parks and Open Space	Complete. Update inventory and O&M procedures for all permittee-owned parks and open spaces, buildings and facilities (including their storm drains), and vehicles and equipment	Highway Department	Continue to update and implement in following years	2018
6B - O&M Procedures - MS4 Infrastructure	Establish and implement program for repair and rehabilitation of MS4 infrastructure	Highway Department	Complete 2 years after effective date of permit	2018
6C - Catch Basin Cleaning Program	Implement procedures and schedule to optimize catch basin cleaning such that each catch basin is no more than 50% full	Highway Department	Track frequency and material quantity of catch basin cleaning in town. In first Annual Report and in SWMP, document plan for optimizing catch basin cleaning	2019
6D - Street Sweeping Program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	Highway Department	Sweep all streets and permittee-owned parking lots once per year in the spring and once in the fall. Rural uncurbed roads under exemption may be swept once per year	2018
6E - Winter Road Maintenance Program	Establish and implement procedures for winter road maintenance, including the use and storage of salt and sand	Highway Department	Implement salt use optimization during deicing season	2018

6F - Stormwater Treatment Structures Inspection and Maintenance Procedures	Develop inspection and maintenance procedures and frequencies for all stormwater treatment structures	Highway Department	Inspect and maintain 100% of treatment structures to ensure proper function	2018
6G - Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPP for the DPW Facility	Highway Department	Complete SWPPPs within two (2) years of permit effective date, implement in following years	2018

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

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

Pollutant	Waterbody ID(s)	Action Description	Responsible Department/Parties <small>(enter your own text to override the drop down menu)</small>
E. Coli	Stony Brook (MA34-19)	Adhere to requirements in part III of Appendix H	Highway Department
Turbidity	Stony Brook (MA34-19)	Adhere to requirements in part V of Appendix H	Highway Department
		Adhere to requirements in part II of Appendix H	

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

Part IV: Notes and additional information

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

Aldrich Lake East (Phosphorus) in Granby is listed in Table F-6 in the MA Small MS4 General Permit, Appendix F, Part A.II. Lake and Pond Phosphorus TMDL requirements as requiring a 0% reduction in Phosphorus.

ESA Eligibility Certification - as described in the attached ESA Eligibility Determination Memorandum, and, per the official species list from the USFWS New England Ecological Services Field Office, Small Whorled Pogonia and Northern Long-eared Bat may exist in the Town. Based on an assessment of the discharge and discharge related activities, the discharge and discharge related activities will have "no affect" on listed species or critical habitat. if, during the course of the permit term, the Town plans to install a structural BMP not identified in the NOI, the Town will conduct an endangered species screening for the proposed site and will contact the USFWS if it is determined that the new activity "may affect" or is "not likely to adversely affect" listed species or critical habitat under the jurisdiction of the USFWS."

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

Part V: Certification

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

Name:

Title:

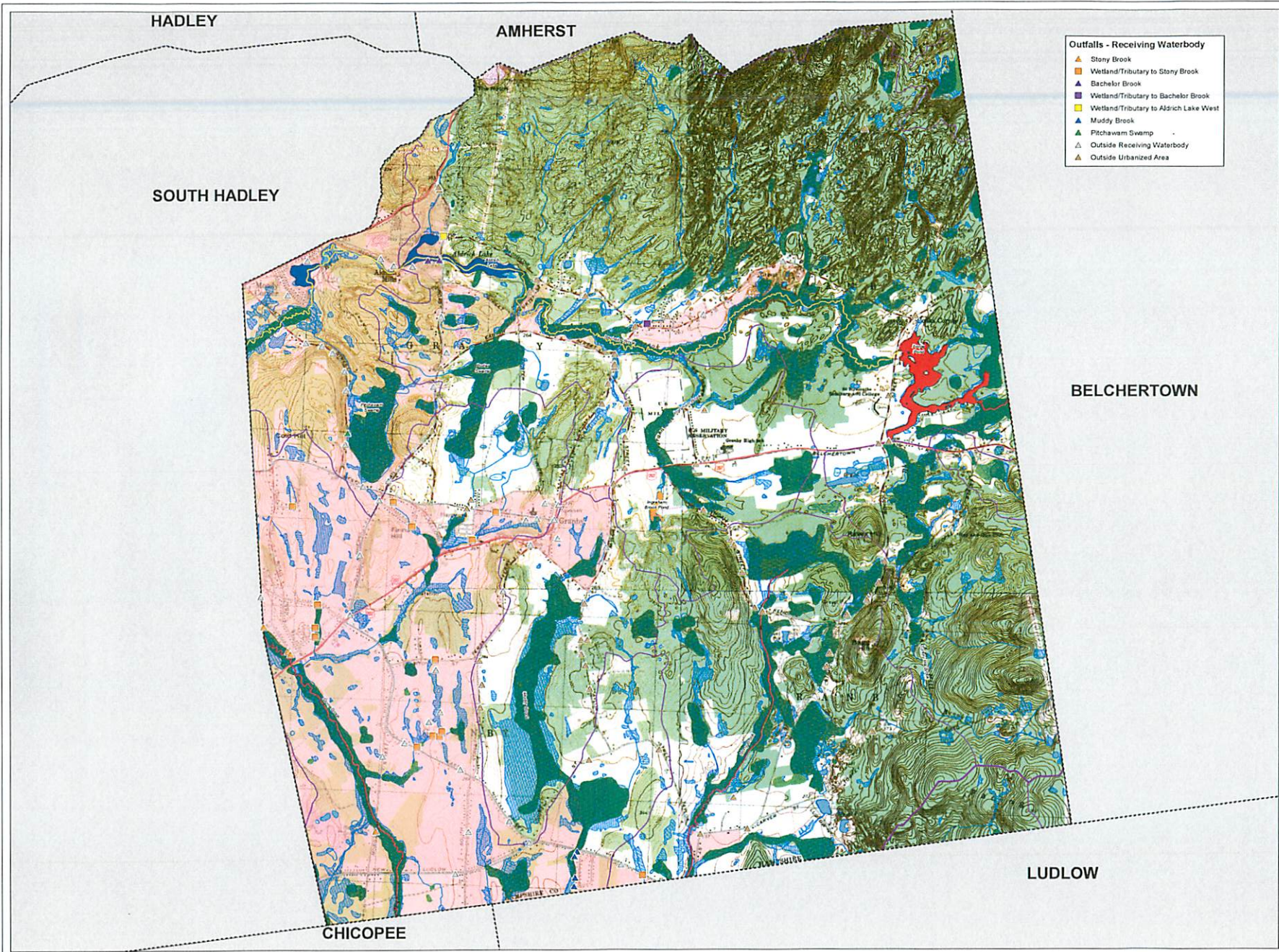
Signature:

Date:

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

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

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HADLEY

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SOUTH HADLEY

BELCHERTOWN

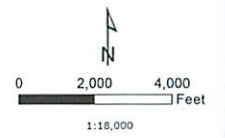
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CHICOPEE

- Outfalls - Receiving Waterbody**
- ▲ Stony Brook
 - Wetland/Tributary to Stony Brook
 - ▲ Bachelor Brook
 - Wetland/Tributary to Bachelor Brook
 - ▲ Wetland/Tributary to Aldrich Lake West
 - ▲ Muddy Brook
 - ▲ Pitchavam Swamp
 - △ Outside Receiving Waterbody
 - △ Outside Urbanized Area

- Legend**
- Town Boundary**
- Water Body Segments - Rivers**
- Category
- 2 - Attaining some uses, other uses not assessed
 - 3 - No uses assessed
 - 4A - Impaired - TMDL is completed
 - 4C - Impairment not caused by a pollutant
 - 5 - Impaired - TMDL required
- Water Body Segments - Lakes, Estuaries**
- Category
- 2 - Attaining some uses, other uses not assessed
 - 3 - No uses assessed
 - 4A - Impaired - TMDL is completed
 - 4C - Impairment not caused by a pollutant
 - 5 - Impaired - TMDL required
- Major Drainage Basins**
- Subbasin
- NWI Wetland Areas**
- Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Estuarine and Marine Deepwater
 - Freshwater Pond
 - Lake
 - Riverine
 - Other
 - NWI Rivers and Streams
- MassDEP Hydrology**
- Public Surface Water Supply (PWS)
 - Water Bodies
 - Hydrology 25K
- MassDEP Wetlands**
- Inland Wetlands
- MassDOT Major Roads**
- Road Type
- Limited Access Highway
 - Multi-lane Hwy, not limited access
 - Other Numbered Highway
 - Major Road, Collector
 - Urbanized Area 2000
 - Urbanized Area 2010

LOCUS MAP



NOTES

1. Based on USGS Topo Map: Mt. Holyoke, 1979; Springfield North, 1979; Belchertown, 1979; Ludlow, 1975 (10 ft)
2. MassGIS: 2014 Integrated List Data (2016), Major Drainage Basins (2003), Subbasins (2007), Community Boundary (2017), National Wetland Inventory (2007), FEMA National Flood Hazard (2017), MassDOT Major Roads (2014), Urban Area (2000 and 2010)
3. Town of Granby: Outfalls

OUTFALLS AND RECEIVING WATERBODIES

Notice of Intent
 Granby, Massachusetts
 July 2018

Tighe & Bond
 Engineers | Environmental Specialists

Tighe&Bond

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APPENDIX C

The EPA Authorization email will be included when received

Tighe&Bond

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APPENDIX D

National Historic Preservation Act Eligibility Certification

TO: Town of Granby Stormwater Management Program Files
FROM: Tighe & Bond
COPY: David Desrosiers, P.E., Highway Superintendent; Chris Martin, Town Administrator
DATE: July 20, 2018

Tighe & Bond has completed the National Historic Preservation Act Eligibility Determination screening process in accordance with Part 1.9.2 and Appendix D of U.S. EPA's National Pollutant Discharge Elimination System (NPDES) General Permits from Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in Massachusetts (see Attachment A of this memorandum), effective July 1, 2018¹, and determined that the **Town of Granby** meets **Criterion A**, wherein the discharges do not have the potential to cause effects on historic properties.

Tighe & Bond followed EPA's screening process included in Appendix D of the 2016 Small MS4 General Permit by answering the screening questions as follows:

Question 1: "Is the facility an existing facility authorized by the previous permit or a new facility and the applicant is not undertaking any activity involving subsurface land disturbance less than an acre?"

Yes, the Town of Granby is an existing facility authorized under the 2003 Massachusetts Small MS4 General Permit and is not, as part of developing and submitting the Notice of Intent for permit coverage, undertaking any activity involving subsurface land disturbance less than an acre.

Based on this screening process, the Town of Granby's stormwater discharges, allowable non-stormwater discharges, and stormwater discharge-related activities will not have an effect on a property that is listed or eligible for listing on the National Register of Historic Places (NRHP), meeting **Criterion A**, and no further action is necessary at this time.

Attachment B to this memorandum includes a list of the inventoried and state-listed historic areas, buildings, burial grounds, objects, and structures downloaded from the Massachusetts Cultural Resource Information System (MACRIS) that is current as of July 20, 2018. As of July 20, 2018, there are no properties or districts in the Town that are listed in the NRHP.

If the Town undertakes construction on or around a property that is listed or eligible for listing, the Town will coordinate with the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officers (THPOs) as needed by submitting a Project Notification Form and associated documentation for the project. As applicable for each project, the Town will implement measures to avoid or minimize adverse impacts on places listed, or eligible for listing, on the NRHP, including any conditions imposed by the SHPO or THPO. If the Town fails to document and implement such measures, those discharges are ineligible for coverage under EPA's Small MS4 General Permit.

J:\G\G0706 Granby MA\01_MS4\NOI\NHPA Eligibility\Granby NHPA Criterion A Eligibility Memo.docx

¹ Revised General Permit effective date according to June 29, 2017 EPA memorandum from the EPA Region 1 Acting Regional Administrator.

Attachment A

Appendix D of U.S. EPA's National Pollutant Discharge
Elimination System (NPDES) General Permits for Stormwater
Discharges from Small Municipal Separate Storm Sewer Systems
(MS4s) in Massachusetts

Appendix D National Historic Preservation Act Guidance

Background

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effects of Federal “undertakings” on historic properties that are either listed on, or eligible for listing on, the National Register of Historic Places. The term federal “undertaking” is defined in the NHPA regulations to include a project, activity, or program of a federal agency including those carried out by or on behalf of a federal agency, those carried out with federal financial assistance, and those requiring a federal permit, license or approval. See 36 CFR 800.16(y). Historic properties are defined in the NHPA regulations to include prehistoric or historic districts, sites, buildings, structures, or objects that are included in, or are eligible for inclusion in, the National Register of Historic Places. This term includes artifacts, records, and remains that are related to and located within such properties. See 36 CFR 800.16(1).

EPA’s issuance of a National Pollutant Discharge Elimination System (NPDES) General Permit is a federal undertaking within the meaning of the NHPA regulations and EPA has determined that the activities to be carried out under the general permit require review and consideration, in order to be in compliance with the federal historic preservation laws and regulations. Although individual submissions for authorization under the general permit do not constitute separate federal undertakings, the screening processes provides an appropriate site-specific means of addressing historic property issues in connection with EPA’s issuance of the permit. To address any issues relating to historic properties in connection with the issuance of this permit, EPA has included a screening process for applicants to identify whether properties listed or eligible for listing on the National Register of Historic Places are within the path of their discharges or discharge-related activities (including treatment systems or any BMPs relating to the discharge or treatment process) covered by this permit.

Applicants seeking authorization under this general permit must comply with applicable, State, Tribal, and local laws concerning the protection of historic properties and places and may be required to coordinate with the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO) and others regarding effects of their discharges on historic properties.

Activities with No Potential to Have an Effect on Historic Properties

A determination that a federal undertaking has no potential to have an effect on historic properties fulfills an agency’s obligations under NHPA. EPA has reason to believe that the vast majority of activities authorized under this general permit will have no potential effects on historic properties. This permit typically authorizes discharges from existing facilities and requires control of the pollutants discharged from the facility. EPA does not anticipate effects on historic properties from the pollutants in the authorized discharges. Thus, to the extent EPA’s issuance of this general permit authorizes discharges of such constituents, confined to existing channels, outfalls or natural drainage areas, the permitting action does not have the potential to cause effects on historical properties.

In addition, the overwhelming majority of sources covered under this permit will be facilities that are seeking renewal of previous permit authorization. These existing dischargers should have already addressed NHPA issues in the previous general permit as they were required to certify that they were either not affecting historic properties or they had obtained written agreement from

the applicable SHPO or THPO regarding methods of mitigating potential impacts. To the extent this permit authorizes renewal of prior coverage without relevant changes in operations the discharge has no potential to have an effect on historic properties.

Activities with Potential to Have an Effect on Historic Properties

EPA believes this permit may have some potential to have an effect on historic properties the applicant undertakes the construction and/or installation of control measures that involve subsurface disturbance that involves less than 1 acre of land. (Ground disturbances of 1 acre or more require coverage under the Construction General Permit.) Where there is disturbance of land through the construction and/or installation of control measures, there is a possibility that artifacts, records, or remains associated with historic properties could be impacted. Therefore, if the applicant is establishing new or altering existing control measures to manage their discharge that will involve subsurface ground disturbance of less than 1 acre, they will need to ensure (1) that historic properties will not be impacted by their activities or (2) that they are in compliance with a written agreement with the SHPO, THPO, or other tribal representative that outlines all measures the applicant will carry out to mitigate or prevent any adverse effects on historic properties.

Examples of Control Measures Which Involve Subsurface Disturbance

The type of control measures that are presumptively expected to cause subsurface ground disturbance include:

- Dikes
- Berms
- Catch basins, drainage inlets
- Ponds, bioretention areas
- Ditches, trenches, channels, swales
- Culverts, pipes
- Land manipulation; contouring, sloping, and grading
- Perimeter Drains
- Installation of manufactured treatment devices

EPA cautions applicants that this list is non-inclusive. Other control measures that involve earth disturbing activities that are not on this list must also be examined for the potential to affect historic properties.

Certification

Upon completion of this screening process the applicant shall certify eligibility for this permit using one of the following criteria on their Notice of Intent for permit coverage:

Criterion A: The discharges do not have the potential to cause effects on historic properties.

Criterion B: A historic survey was conducted. The survey concluded that no historic properties are present. Discharges do not have the potential to cause effects on historic properties.

Criterion C: The discharges and discharge related activities have the potential to have an effect on historic properties, and the applicant has obtained and is in compliance with a written agreement with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (TPHO), or other tribal representative that outlines measures the applicant will carry out to mitigate or prevent any adverse effects on historic properties.

Authorization under the general permit is available only if the applicant certifies and documents permit eligibility using one of the eligibility criteria listed above. Small MS4s that cannot meet any of the eligibility criteria in above must apply for an individual permit.

Screening Process

Applicants or their consultant need to answer the questions and follow the appropriate procedures below to assist EPA in compliance with 36 CFR 800.

Question 1: Is the facility an existing facility authorized by the previous permit or a new facility and the applicant is not undertaking any activity involving subsurface land disturbance less than an acre?

YES - The applicant should certify that fact in writing and file the statement with the EPA. This certification must be maintained as part of the records associated with the permit.

The applicant should certify eligibility for this permit using Criterion A on their Notice of Intent for permit coverage. The applicant does not need to contact the state Historic Commission. Based on that statement, EPA will document that the project has “no potential to cause effects” (36 CFR 800.3(a)(1)). There are no further obligations under the Section 106 regulations.

NO- Go to Question 2.

Question 2: Is the property listed in the National Register of Historic Places or have prior surveys or disturbances revealed the existence of a historic property or artifacts?

NO - The applicant should certify that fact in writing and file the statement with the EPA. This certification must be maintained as part of the records associated with the permit.

The applicant should certify eligibility for this permit using Criterion B on their Notice of Intent for permit coverage. The applicant does not need to contact the state Historic Commission. Based on that statement, EPA will document that the project has “no potential to cause effects” (36 CFR 800.3(a)(1)). There are no further obligations under the Section 106 regulations.

YES - The applicant or their consultant should prepare a complete information submittal to the SHPO. The submittal consists of:

- Completed Project Notification Form- forms available at <http://www.sec.state.ma.us/mhc/mhcform/formidx.htm>;

- USGS map section with the actual project boundaries clearly indicated; and
- Scaled project plans showing existing and proposed conditions.

(1) Please note that the SHPO does not accept email for review. Please mail a paper copy of your submittal (Certified Mail, Return Receipt Requested) or deliver a paper copy of your submittal (and obtain a receipt) to:

State Historic Preservation Officer
Massachusetts Historical Commission
220 Morrissey Blvd.
Boston MA 02125.

(2) Provide a copy of your submittal and the proof of MHC delivery showing the date MHC received your submittal to:

NPDES Permit Branch Chief
US EPA Region 1 (OEP06-1)
5 Post Office Square, Suite 100
Boston MA 02109-3912.

The SHPO will comment within thirty (30) days of receipt of complete submittals, and may ask for additional information. Consultation, as appropriate, will include EPA, the SHPO and other consulting parties (which includes the applicant). The steps in the federal regulations (36 CFR 800.2 to 800.6, etc.) will proceed as necessary to conclude the Section 106 review for the undertaking. **The applicant should certify eligibility for this permit using Criterion C on their Notice of Intent for permit coverage.**

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Attachment B

MACRIS Database Inventoried and State-Listed Properties
and Districts in the Town of Granby

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Massachusetts Cultural Resource Information System

MACRIS

MACRIS Search Results

Search Criteria: Town(s): Granby; Resource Type(s): Area, Building, Burial Ground, Object, Structure;

Inv. No.	Property Name	Street	Town	Year
GNB.A	Granby Historic District		Granby	
GNB.B	Granby Hollow		Granby	
GNB.C	Carver Street		Granby	
GNB.D	Stebbins - Taylor Farms		Granby	
GNB.E	Samuel Smith Houses		Granby	
GNB.F	Taylor Brothers Houses		Granby	
GNB.G	Second Parish		Granby	
GNB.H	Clark - Kizior Farm		Granby	
GNB.I	Ferry - Spooner - Harnisch Farm		Granby	
GNB.J	Moody - Barton - Galusha Farm		Granby	
GNB.102	Ayers and Aldrich Co. Office and Store	49 Aldrich St	Granby	c 1850
GNB.907	Ayers and Aldrich Co. Dam	49 Aldrich St	Granby	1917
GNB.103	Aldrich, Christopher C. Grist Mill	50 Aldrich St	Granby	c 1872
GNB.908	Aldrich Electric Generation Plant Penstock	50 Aldrich St	Granby	1917
GNB.104	Ayres and Aldrich Co. Tenant House	54 Aldrich St	Granby	c 1854
GNB.105	Taylor, Levi - Leonard, Rufus House	56 Aldrich St	Granby	c 1848
GNB.106	Taylor, Levi - Leonard, Rufus Barn	56 Aldrich St	Granby	c 1848
GNB.107	Aldrich, Christopher C. House	59 Aldrich St	Granby	c 1854
GNB.108	Aldrich, Elliot C. Greenhouse	59 Aldrich St	Granby	1928
GNB.29	Granby Hollow School	89 Aldrich St	Granby	c 1848
GNB.903	West Parish First Meetinghouse Marker	Amherst St	Granby	1921
GNB.30	Hatfield, Joseph M. - Scanlin, Patrick House	70 Amherst St	Granby	c 1802
GNB.31	Hatfield, Joseph M. - Scanlin, Patrick Barn	70 Amherst St	Granby	
GNB.25	Smith, Chester House	86 Amherst St	Granby	1806
GNB.26	Moody, Rev. Eli House	96 Amherst St	Granby	c 1830
GNB.138	Cook, Perez Jr. Dairy Barn and Milk House	96 Amherst St	Granby	c 1865
GNB.140	Conan, Frank J. Barn	105 Amherst St	Granby	c 1921

Inv. No.	Property Name	Street	Town	Year
GNB.32	Clark, Augustus - O'Keefe, David House	193 Amherst St	Granby	c 1816
GNB.33	O'Keefe, David - Kizior, Ludwick Barn	193 Amherst St	Granby	c 1680
GNB.34	Kizior, Ludwick Wagon House	193 Amherst St	Granby	c 1900
GNB.35	Kizior, Ludwick Milk House	193 Amherst St	Granby	c 1920
GNB.36	Kizior, Ludwick Corncrib	193 Amherst St	Granby	c 1920
GNB.904	Clark, Augustus - O'Keefe, David Farmland	193 Amherst St	Granby	
GNB.37	Moody, Reuben - Ingram, Robert House	290 Amherst St	Granby	c 1780
GNB.801	North Cemetery	Batchelor St	Granby	1764
GNB.38	Smith, Asahel - Warner, John House	117 Batchelor St	Granby	c 1751
GNB.39	Warner, John Barn	117 Batchelor St	Granby	c 1850
GNB.40	Ayres, Samuel - Weatherbee, Warren J. House	218 Batchelor St	Granby	c 1750
GNB.41	Ayres, Eleazer - Spencer, Clark House	232 Batchelor St	Granby	c 1762
GNB.42	Green, Eliphalet - Randall, Nelson House	326 Batchelor St	Granby	c 1762
GNB.43	Vinton, Dr. Samuel - Montague, Giles F. House	1 Bittersweet Ln	Granby	c 1755
GNB.44	Vinton, Simeon - Montague, Giles F. House	10 Bittersweet Ln	Granby	c 1802
GNB.902	Moody Corner Bridge	Burnett St	Granby	1956
GNB.45	Nash, Eleazer - Nash, John B. House	2 Burnett St	Granby	c 1750
GNB.46	Nash, Ephraim - Nash, John B. House	4 Burnett St	Granby	c 1824
GNB.47	Burnett, Jonathan - Smith, Nelson House	58 Burnett St	Granby	c 1770
GNB.48	Smith, Nelson Barn	58 Burnett St	Granby	c 1850
GNB.24	U. S. Air Force Radio Transmitter Station	Carver St	Granby	c 1941
GNB.109	Carver, Warren House	1 Carver St	Granby	c 1820
GNB.110	Carver, William Blacksmith Shop	1 Carver St	Granby	c 1820
GNB.111	Carver, William Barn and Workshop	1 Carver St	Granby	c 1850
GNB.909	Carver, William Dam and Impoundment	1 Carver St	Granby	c 1820
GNB.112	Carver, David House	2 Carver St	Granby	c 1835
GNB.113	Lyman, Clarence D. House	7 Carver St	Granby	c 1900
GNB.114	Lyman, Clarence D. Dairy Barn	7 Carver St	Granby	c 1900
GNB.910	Carver, Aaron Agricultural Field	7 Carver St	Granby	c 1820
GNB.920	Carver, Aaron Agricultural Field	7 Carver St	Granby	c 1820
GNB.115	Carver, Derrick - Porter, Theodore P. House	17 Carver St	Granby	c 1837
GNB.116	Carver, Augustus - Porter, Theodore P. Wagon House	17 Carver St	Granby	c 1880
GNB.117	Porter, Theodore P. - Gamble, William Milk House	17 Carver St	Granby	c 1900
GNB.153	Mercier House	21 Carver St	Granby	c 1981
GNB.154		21 Carver St	Granby	c 2000
GNB.118	Carver, Norman House	23 Carver St	Granby	c 1835

Inv. No.	Property Name	Street	Town	Year
GNB.119	Lyman, Charles T. House	34 Carver St	Granby	c 1900
GNB.120	Keith, Earle - Lyman, Charles T. Barn	34 Carver St	Granby	c 1850
GNB.911	Keith, Earle - Lyman, Charles Agricultural Field	34 Carver St	Granby	c 1850
GNB.10	Granby Congregational Church Parsonage	3 Center St	Granby	1841
GNB.9	Belcher, Col. William House	5 Center St	Granby	c 1827
GNB.8	Ferry, Alvin House	9 Center St	Granby	c 1840
GNB.94	Ferry, Alvin - Taylor, Charles Barn	9 Center St	Granby	c 1850
GNB.7	Stebbins, Frank House	11 Center St	Granby	c 1850
GNB.95	Moody, Sidney E. - Taylor, Harold Bell House	15 Center St	Granby	c 1875
GNB.912	Dulski - Murzin Agricultural Field	48 Center St	Granby	
GNB.121	Dulski, Andrew - Murzin, Frank House	50 Center St	Granby	c 1901
GNB.122	Dulski, Andrew - Murzin, Frank Barn	50 Center St	Granby	c 1901
GNB.123	Stebbins, Clinton W. - Taylor, Leon W. House	53 Center St	Granby	c 1880
GNB.124	Stebbins, Simeon Clark House	58 Center St	Granby	c 1845
GNB.125	Stebbins, Simeon Clark Barn I	58 Center St	Granby	c 1845
GNB.126	Taylor, Horace Sanders Barn	58 Center St	Granby	c 1900
GNB.913	Stebbins, Simeon Clark Agricultural Field	58 Center St	Granby	
GNB.156		59 Center St	Granby	c 1945
GNB.129	Smith, Samuel - Goldthwait, Albert	112 Cold Hill Rd	Granby	c 1855
GNB.130	Smith, Samuel Jr. House	117 Cold Hill Rd	Granby	c 1840
GNB.96	Kellogg, Simeon - Aldrich, Hannah L. House	2 Common St	Granby	c 1868
GNB.97	Ferry, William W. House	4 Common St	Granby	c 1890
GNB.98	Bell, Homer Simpson - Taylor, Willard Asher House	6 Common St	Granby	c 1888
GNB.99	Bellefeuille, Henry F. House	8 Common St	Granby	c 1929
GNB.20	White, Homer House and Tailor Shop	14 Common St	Granby	1842
GNB.49	Morgan, Isaac - Graves, Frank Morgan House	8 East St	Granby	c 1830
GNB.50	Morgan, Linus - Pease, Peter House - Granby Mouse	11 East St	Granby	c 1802
GNB.51	Bartlett, John M. - Warner, Eugene M. House	79 East St	Granby	c 1850
GNB.52	Warner, Stephen Jr. House	81 East St	Granby	c 1760
GNB.53	Moody, John - Church, David House	291 East State St	Granby	c 1760
GNB.54	Dark Corner School - Perreault, Arthur J. House	489 East State St	Granby	c 1850
GNB.3	Granby District Schoolhouse	5 Ferry Hill Rd	Granby	c 1840
GNB.55	Ferry, Charles Jr. - Morgan, Dwight C. House	54 Ferry Hill Rd	Granby	c 1800
GNB.56	Alvord, Moses - Moody, Thomas Hovey Jr. House	55 Ferry Hill Rd	Granby	r 1760
GNB.57	Chapin, Elijah - Ferry, Luther Jr. House	63 Ferry Hill Rd	Granby	c 1760
GNB.58	Ferry, Luther Jr. Barn	63 Ferry Hill Rd	Granby	c 1850

Inv. No.	Property Name	Street	Town	Year
GNB.59	Ferry, Charles - Taylor, Dexter S. House	64 Ferry Hill Rd	Granby	r 1770
GNB.60	Harris, Windsor - Schurr, Edward Burlingham House	145 Harris St	Granby	c 1800
GNB.800	West Cemetery	Kellogg St	Granby	1769
GNB.6	Granby Public Library	Library Ln	Granby	1916
GNB.1	Domo, Peter House	4 Parish Hill Rd	Granby	r 1755
GNB.2	Ferry, Alpheus House	16 Parish Hill Rd	Granby	1816
GNB.61	Cowles, Chester - Foley, Daniel House	81 Pleasant St	Granby	c 1796
GNB.62	Eastman, Joseph - Newton, Calvin House	118 Pleasant St	Granby	c 1780
GNB.63	Dickinson, Job - DeWitt, Benjamin House	119 Pleasant St	Granby	c 1800
GNB.64	Eastman, William	128 Pleasant St	Granby	1814
GNB.65	Eastman, William Jr. - Forward, Francis Granary	128 Pleasant St	Granby	
GNB.66	Preston, Joel - Fugler, Leon House	133 Pleasant St	Granby	c 1830
GNB.67	Fugler, Leon Barn	133 Pleasant St	Granby	c 1930
GNB.68	Ferry, Charles Jr. - Spooner, Barzelia House	148 Pleasant St	Granby	c 1798
GNB.69	Harnisch, Edward Joseph Barn	148 Pleasant St	Granby	c 1930
GNB.70	Harnisch, Edward Joseph Milk House	148 Pleasant St	Granby	c 1930
GNB.71	Harnisch, Edward Joseph Poultry House	148 Pleasant St	Granby	c 1930
GNB.905	Ferry, Charles Jr. - Spooner, Barzelia Farmland	148 Pleasant St	Granby	
GNB.901	Porter Street Bridge over Bachelor Brook	Porter St	Granby	1955
GNB.19	Knight, Rev. Joseph House	4 Porter St	Granby	c 1830
GNB.93	Knight, Joseph - First East Parish Parsonage Barn	4 Porter St	Granby	c 1830
GNB.72	Cook, David S. House	7 School St	Granby	c 1810
GNB.73	Smith, Adolphus House	157 School St	Granby	c 1819
GNB.74	Smith, Adolphus Dairy Barn	157 School St	Granby	c 1850
GNB.75	Barton, James H. House and Barn	6 South St	Granby	c 1855
GNB.76	Moody, Thomas Hovey - Barton, James H. Barn	6 South St	Granby	c 1800
GNB.77	Galusha, George Newell Cow Barn	6 South St	Granby	c 1950
GNB.78	Galusha, George Newell Machinery Shed	6 South St	Granby	c 1950
GNB.79	Galusha, George Arthur Poultry House	6 South St	Granby	c 1930
GNB.906	Galusha, George Arthur Windmill	6 South St	Granby	c 1930
GNB.81	Dickinson, William B. House	175 South St	Granby	c 1836
GNB.82	Dickinson, William B. - Bidwell, Joseph Dairy Barn	175 South St	Granby	r 1850
GNB.900	Soldiers and Sailors Memorial Monument	State St	Granby	1949
GNB.4	Montague, John House	224 State St	Granby	c 1786
GNB.5	Granby District Schoolhouse #3	227 State St	Granby	1844
GNB.11	Kellogg, David Hay Barn	236-238 State St	Granby	c 1821

Inv. No.	Property Name	Street	Town	Year
GNB.22	Granby High School and Lecture Hall	237 State St	Granby	1841
GNB.23	Church of Christ in Granby	237 State St	Granby	1821
GNB.21	Granby Town House	239 State St	Granby	1822
GNB.12	Henry, Capt. Luther Barn	242 State St	Granby	c 1821
GNB.13	Chapin, Philo - Bell, George House	244 State St	Granby	c 1860
GNB.101		246 State St	Granby	c 1941
GNB.14	Harris, George House	248 State St	Granby	r 1845
GNB.15	Granby Town Hall - Kellogg Hall	250 State St	Granby	1889
GNB.16	Immaculate Heart of Mary Roman Catholic Church	256 State St	Granby	1949
GNB.17	Immaculate Heart of Mary Church Rectory	256 State St	Granby	1952
GNB.18	Smith, Dr. Cyrus B. House	257 State St	Granby	1879
GNB.127	Stebbins, Francis Strong House	79 Taylor St	Granby	c 1844
GNB.128	Stebbins, Francis Strong Barn	79 Taylor St	Granby	c 1850
GNB.157		81 Taylor St	Granby	c 1969
GNB.914	Stebbins, Francis Strong Agricultural Field	81 Taylor St	Granby	
GNB.158		83 Taylor St	Granby	c 1990
GNB.159		86 Taylor St	Granby	c 1900
GNB.160		87 Taylor St	Granby	c 1939
GNB.131	Taylor, Sylvester Howland House	189 Taylor St	Granby	c 1865
GNB.132	Taylor, Sylvester Howland Barn	189 Taylor St	Granby	c 1865
GNB.161		195 Taylor St	Granby	c 1960
GNB.133	Clark, Augustus - Taylor, Andrew J. House	200 Taylor St	Granby	c 1850
GNB.134	Clark, Augustus - Taylor, Andrew J. Barn	200 Taylor St	Granby	c 1850
GNB.916	Clark, Augustus - Taylor Agricultural Field	200 Taylor St	Granby	
GNB.135	Taylor, Roswell House	203 Taylor St	Granby	c 1830
GNB.162		210 Taylor St	Granby	c 1980
GNB.83	Taylor, Horace - Olds, Marshall House	259 Taylor St	Granby	c 1838
GNB.84	Taylor, Horace - Olds, Marshall Barn	259 Taylor St	Granby	r 1836
GNB.85	Chapin, Pliny - Bartlett, Titus House	315 Taylor St	Granby	c 1833
GNB.86	Ludlow City District No. Six School	325 Taylor St	Granby	1840
GNB.152		220 West	Granby	
GNB.87	Granby West Street Elementary School	14 West St	Granby	1942
GNB.139	Smith, Timothy - Taylor, Frances Edson House	124 West St	Granby	c 1845
GNB.27	Bailey - Smith, Eldad House	129 West St	Granby	r 1820
GNB.28	Smith, Levi House	130 West St	Granby	r 1780
GNB.917	South Parish Church Site Marker	130 West St	Granby	
GNB.88	West Parish School	139 West St	Granby	c 1840

Inv. No.	Property Name	Street	Town	Year
GNB.89	Snow, Glenn Irving House	164 West St	Granby	c 1898
GNB.90	Snow, Glenn Irving Barn	164 West St	Granby	c 1898
GNB.91	Montague, Luke House	202 West St	Granby	r 1730
GNB.80	Granby Museum	194 West State St	Granby	c 1960
GNB.141		195 West State St	Granby	r 1965
GNB.142		197 West State St	Granby	r 1965
GNB.143		199 West State St	Granby	r 1965
GNB.144		201 West State St	Granby	r 1965
GNB.145		204 West State St	Granby	c 1942
GNB.146		205 West State St	Granby	c 1965
GNB.147		207 West State St	Granby	r 1965
GNB.148		209 West State St	Granby	r 1965
GNB.100	Granby Telephone and Telegraph Co. Building	215 West State St	Granby	c 1931
GNB.149	Granby Telephone and Telegraph Co. Building	217 West State St	Granby	c 1990
GNB.150		218 West State St	Granby	
GNB.151		219 West State St	Granby	

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APPENDIX E

Endangered Species Act Eligibility Certification

TO: Town of Granby Stormwater Management Program Files
FROM: Tighe & Bond
COPY: David Desrosiers, P.E., Highway Superintendent; Chris Martin, Town Administrator
DATE: July 11, 2018

Tighe & Bond has completed the National Endangered Species Eligibility Determination screening process in accordance with Part 1.9.1 and Appendix C of U.S. EPA's National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in Massachusetts (see Attachment A of this memorandum), effective July 1, 2018¹, and determined that the **Town of Granby** meets **Criterion C**, where informal consultation with U.S. Fish and Wildlife (USFWS) resulted in a finding that the stormwater discharges and discharge related activities will have "no affect" on listed species or critical habitat.

Tighe & Bond followed EPA's screening process required by the 2016 Small MS4 General Permit as follows:

Tighe & Bond went to the USFWS Information for Planning and Consultation (IPaC) website² and requested an Official Species List from the USFWS New England Ecological Services Field Office, included in Attachment B to this memorandum. The Official Species List lists the following species that may occur or could potentially be affected by activities in the Town:

- Small Whorled Pogonia, and
- Northern Long-eared Bat.

The Official Species List documents that there are no critical habitats in Granby.

Tighe & Bond then went to the USFWS New England Field Office website for Endangered Species Reviews/Consultations³ and selected the Massachusetts state list⁴ to review which Towns have federally-listed species. A copy of the list of Federally Listed Endangered and Threatened Species in Massachusetts is included in Attachment C to this memorandum. Based on review of this list, in Hampshire County the Small whorled Pogonia is listed only in the Town of Hadley and the Northern Long-eared Bat is listed statewide.

Tighe & Bond then reviewed Step 1 Part B of the USFWS endangered species consultation, and visited the Massachusetts Natural Heritage and Endangered Species Program (NHESP) species information and conservation website about the Northern Long-eared Bat⁵.

¹ Revised General Permit effective date according to June 29, 2017 EPA memorandum from the EPA Region 1 Acting Regional Administrator.

² <http://ecos.fws.gov/ipac/>

³ https://www.fws.gov/newengland/EndangeredSpec-Consultation_Project_Review.htm

⁴ <https://www.fws.gov/newengland/pdfs/MA%20species%20by%20town.pdf>

⁵ <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/species-information-and-conservation/rare-mammals/northern-long-eared-bat.html>

The NHESP website included a map showing the known locations of the Northern Long-eared Bat within Massachusetts. Attachment D to this memorandum includes a map showing there are no roost trees or hibernating locations in the vicinity of the Town of Granby.

Based on the results of the NHESP website review, Tighe & Bond determined there is no potential habitat for any listed species within the action area, and therefore no further coordination is required with the USFWS. Attachment E provides the results of Tighe & Bond's informal consultation on behalf of the Town of Granby with the USFWS "no species present" letter that states "no species are known to occur in the project area".

Step 1 – Determine if you can meet USFWS Criterion A

"USFWS Criterion A: You can certify eligibility, according to USFWS Criterion A, for coverage by this permit if, upon completing the Information, Planning, and Conservation (IPaC) online system process, you printed and saved the preliminary determination which indicated that federally listed species or designated critical habitats are not present in the action area. See Attachment 1 to Appendix C for instructions on how to use IPaC."

No, the Town of Granby's IPaC action area contains the Small whorled Pogonia and Northern Long-eared Bat.

Step 2 – Determine if You Can Meet Eligibility USFWS Criteria B

"USFWS Criterion B: You can certify eligibility according to USFWS Criteria B for coverage by this permit if you answer "Yes" to **all** of the following questions:

- 1) Does your action area contain one or more of the following species: Sandplain gerardia, Small whorled Pogonia, American burying beetle, Dwarf wedgemussel, Northeastern bulrush, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Roseate Tern, Puritan tiger beetle, and Northeastern beach tiger beetle?

Yes, the Town of Granby's action area contains the Small whorled Pogonia.

- 2) Did your assessment of the discharge and discharge related activities indicate that the discharge or discharge related activities "may affect" or are "not likely to adversely affect" listed species or critical habitat?

No, the assessment of the discharge and discharge related activities indicated that the discharge and discharge related activities will have "no affect" on listed species or critical habitat based on the results of informal consultation with USFWS indicating that "no species are known to occur in the project area". (see discussion above).

Step 3 – Determine if You Can Meet Eligibility USFWS Criteria C

"You can certify eligibility according to USFWS Criterion C for coverage by this permit if you answer "Yes" to both of the following questions:

- 1) Does your action area contain one or more of the following species: Northern Long-eared Bat, Sandplain gerardia, Small whorled Pogonia and/or American burying beetle and does not contain any following species: Dwarf wedgemussel, Northeastern bulrush, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Roseate Tern, Puritan tiger beetle, and Northeastern beach tiger beetle?

Yes, the Town of Granby's action area contains the Northern Long-eared Bat and Small whorled Pogonia, but none of the other subsequent species.

- 2) Did the assessment of your discharge and discharge related activities indicate that there would be "no affect" on listed species or critical habitat and EOA provided concurrence with your determination?

Yes, Tighe & Bond performed an informal consultation with USFWS and determined that the Town's discharges and discharge related activities will have "no affect" on listed species or critical habitat (see discussion above).

- 3) Do you agree that if, during the course of the permit term, you plan to install a structural BMP not identified in the NOI that you will conduct an endangered species screening for the proposed site and contact the USFWS if you determine that the new activity "may affect" or is "not likely to adversely affect" listed species or critical habitat under the jurisdiction of the USFWS."

Yes, during the course of the permit term the Town of Granby agrees to conduct an endangered species screening for the proposed site and contact USFWS if they plan to install a structural BMP not identified in the NOI.

Tighe & Bond's review of all questions under Step 3 resulted in "Yes" and thereby has determined the Town of Granby's action area meets the endangered species' eligibility requirements included in **Criterion C**.

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Attachment A

Appendix C of U.S. EPA's National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) in Massachusetts

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APPENDIX C ENDANGERED SPECIES GUIDANCE

A. Background

In order to meet its obligations under the Clean Water Act and the Endangered Species Act (ESA), and to promote the goals of those Acts, the Environmental Protection Agency (EPA) is seeking to ensure the activities regulated by this general permit do not adversely affect endangered and threatened species or critical habitat. Applicants applying for permit coverage must assess the impacts of their stormwater discharges and discharge-related activities on federally listed endangered and threatened species (“listed species”) and designated critical habitat (“critical habitat”) to ensure that those goals are met. Prior to obtaining general permit coverage, applicants must meet the ESA eligibility provisions of this permit by following the steps in this Appendix¹.

Applicants also have an independent ESA obligation to ensure that their activities do not result in any prohibited “take” of listed species¹². The term “Take” is used in the ESA to include harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct. “Harm” is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering. “Harass” is defined as intentional or negligent actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering. Many of the measures required in this general permit and in these instructions to protect species may also assist in ensuring that the applicant’s activities do not result in a prohibited take of species in violation of section 9 of the ESA. If the applicant has plans or activities in an area where endangered and threatened species are located, they may wish to ensure that they are protected from potential take liability under ESA section 9 by obtaining an ESA section 10 permit or by requesting formal consultation under ESA section 7. Applicants that are unsure whether to pursue a section 10 permit or a section 7 consultation for takings protection should confer with the appropriate United States Fish and Wildlife Service (USFWS) office or the National Marine Fisheries Service (NMFS), (jointly the Services).

Currently, there are 20 species of concern for applicants applying for permit coverage, namely the Dwarf wedgemussel (*Alasmidonta heterodon*), Northeastern bulrush (*Scirpus ancistrochaetus*), Sandplain gerardia (*Agalinis acuta*), Piping Plover (*Charadrius melodus*), Roseate Tern (*Sterna dougallii*), Northern Red-bellied cooter (*Pseudemys rubriventis*), Bog Turtle (*Glyptemys mühlenbergii*), Small whorled Pogonia (*Isotria medeoloides*), Puritan tiger beetle (*Cicindela puritana*), American burying beetle (*Nicrophorus americanus*), Northeastern beach tiger beetle (*Cicindela dorsalis*), Northern Long-eared Bat (*Myotis septentrionalis*), Atlantic Sturgeon (*Acipenser oxyrinchus*), Shortnose Sturgeon (*Acipenser brevirostrum*), North Atlantic Right Whale (*Eubalaena glacialis*), Humpback Whale (*Megaptera novaengliae*), Fin Whale (*Balaenoptera physalus*), Kemp’s Ridley Sea Turtle (*Lepidochelys kempii*), Loggerhead Sea Turtle (*Caretta caretta*), Leatherback Sea Turtle (*Dermochelys coriacea*), and the Green Turtle (*Chelonia*

¹ EPA strongly encourages applicants to begin this process at the earliest possible stage to ensure the notification requirements for general permit coverage are complete upon Notice of Intent (NOI) submission.

² Section 9 of the ESA prohibits any person from “taking” a listed species (e.g. harassing or harming it) unless: (1) the taking is authorized through an “incidental take statement” as part of completion of formal consultation according to ESA section 7; (2) where an incidental take permit is obtained under ESA section 10 (which requires the development of a habitat conversion plan; or (3) where otherwise authorized or exempted under the ESA. This prohibition applies to all entities including private individuals, businesses, and governments.

mydas). The Atlantic Sturgeon, Shortnose Sturgeon, North Atlantic Right Whale, Humpback Whale, Fin Whale, Loggerhead Sea Turtle, Kemp's Ridley Sea Turtle, Leatherback Sea Turtle and Green Turtle are listed under the jurisdiction of NMFS. The Dwarf wedgemussel, Northeastern bulrush, Sandplain gerardia, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Small whorled Pogonia, Roseate Tern, Puritan tiger beetle, Northeastern beach tiger beetle, Northern Long-eared Bat and American burying beetle are listed under the jurisdiction of the U.S. Fish and Wildlife Service.

Any applicant seeking coverage under this general permit, must consult with the Services where appropriate. When listed species are present, permit coverage is only available if EPA determines, or the applicant determines and EPA concurs, that the discharge or discharge related activities will have "no affect" on the listed species or critical habitat, or the applicant or EPA determines that the discharge or discharge related activities are "not likely to adversely affect" listed species or critical habitat and formal or informal consultation with the Services has been concluded and results in written concurrence by the Services that the discharge is "not likely to adversely affect" an endangered or threatened species or critical habitat.

EPA may designate the applicants as non-Federal representatives for the general permit for the purpose of carrying out formal or informal consultation with the Services (See 50 CFR §402.08 and §402.13). By terms of this permit, EPA has automatically designated operators as non-Federal representatives for the purpose of conducting formal or informal consultation with the U.S. Fish and Wildlife Service. EPA has not designated operators as non-Federal representatives for the purpose of conducting formal or informal consultation with the National Marine Fisheries Service. EPA has determined that discharges from MS4s are not likely to adversely affect listed species or critical habitat under the jurisdiction of the National Marine Fisheries Service. EPA has initiated informal consultation with the National Marine Fisheries Service on behalf of all permittees and no further action is required by permittees in order to fulfill ESA requirements of this permit related to species under the jurisdiction of NMFS

B. The U.S. Fish and Wildlife Service ESA Eligibility Process

Before submitting a notice of intent (NOI) for coverage by this permit, applicants must determine whether they meet the ESA eligibility criteria by following the steps in Section B of this Appendix. Applicants that cannot meet the eligibility criteria in Section B must apply for an individual permit.

The USFWS ESA eligibility requirements of this permit relating to the Dwarf wedgemussel, Northeastern bulrush, Sandplain gerardia, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Small whorled Pogonia, Roseate Tern, Puritan tiger beetle, Northeastern beach tiger beetle, Northern Long-eared Bat and American burying beetle may be satisfied by documenting that one of the following criteria has been met:

USFWS Criterion A: No endangered or threatened species or critical habitat are in proximity to the stormwater discharges or discharge related activities.

USFWS Criterion B: In the course of formal or informal consultation with the Fish and Wildlife Service, under section 7 of the ESA, the consultation resulted in either a no jeopardy opinion (formal consultation) or a written concurrence by USFWS on a finding that the stormwater discharges and

discharge related activities are “not likely to adversely affect” listed species or critical habitat (informal consultation).

USFWS Criterion C: Using the best scientific and commercial data available, the effect of the stormwater discharge and discharge related activities on listed species and critical habitat have been evaluated. Based on those evaluations, a determination is made by EPA, or by the applicant and affirmed by EPA, that the stormwater discharges and discharge related activities will have “no affect” on any federally threatened or endangered listed species or designated critical habitat under the jurisdiction of the USFWS.

1. The Steps to Determine if the USFWS ESA Eligibility Criteria Can Be Met

To determine eligibility, you must assess the potential effects of your known stormwater discharges and discharge related activities on listed species or critical habitat, PRIOR to completing and submitting a Notice of Intent (NOI). You must follow the steps outlined below and document the results of your eligibility determination.

Step 1 – Determine if you can meet USFWS Criterion A

USFWS Criterion A: You can certify eligibility, according to USFWS Criterion A, for coverage by this permit if, upon completing the Information, Planning, and Conservation (IPaC) online system process, you printed and saved the preliminary determination which indicated that federally listed species or designated critical habitats are not present in the action area. See Attachment 1 to Appendix C for instructions on how to use IPaC.

If you have met USFWS Criterion A skip to Step # 4.

If you have not met USFWS Criterion A, go to Step # 2.

Step 2 – Determine if You Can Meet Eligibility USFWS Criteria B

USFWS Criterion B: You can certify eligibility according to USFWS Criteria B for coverage by this permit if you answer “Yes” to **all** of the following questions:

- 1) Does your action area contain one or more of the following species: Sandplain gerardia, Small whorled Pogonia, American burying beetle, Dwarf wedgemussel, Northeastern bulrush, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Roseate Tern, Puritan tiger beetle, and Northeastern beach tiger beetle?
AND
- 2) Did your assessment of the discharge and discharge related activities indicate that the discharge or discharge related activities “may affect” or are “not likely to adversely affect” listed species or critical habitat?
AND
- 3) Did you contact the USFWS and did the formal or informal consultation result in either a “no jeopardy” opinion by the USFWS (for formal consultation) or concurrence by the

USFWS that your activities would be “not likely to adversely affect” listed species or critical habitat (for informal consultation)?

AND

- 4) Do you agree to implement all measures upon which the consultation was conditioned?
- 5) Do you agree that if, during the course of the permit term, you plan to install a structural BMP not identified in the NOI that you will re-initiate informal or formal consultation with USFWS as necessary?

Use the guidance below Step 3 to understand effects determination and to answer these questions.

If you answered “Yes” to all four questions above, you have met eligibility USFWS Criteria B. Skip to Step 4.

If you answered “No” to any of the four questions above, go to Step 3.

Step 3 – Determine if You Can Meet Eligibility USFWS Criterion C

USFWS Criterion C: You can certify eligibility according to USFWS Criterion C for coverage by this permit if you answer “Yes” to both of the following question:

- 1) Does your action area contain one or more of the following species: Northern Long-eared Bat, Sandplain gerardia, Small whorled Pogonia and/or American burying beetle and **does not** contain one any following species: Dwarf wedgemussel, Northeastern bulrush, Piping Plover, Northern Red-bellied cooter, Bog Turtle, Roseate Tern, Puritan tiger beetle, and Northeastern beach tiger beetle?³
- OR
- 2) Did the assessment of your discharge and discharge related activities and indicate that there would be “no affect” on listed species or critical habitat and EPA provided concurrence with your determination?
- 3) Do you agree that if, during the course of the permit term, you plan to install a structural BMP not identified in the NOI that you will to conduct an endangered species screening for the proposed site and contact the USFWS if you determine that the new activity “may affect” or is “not likely to adversely affect” listed species or critical habitat under the jurisdiction of the USFWS.

Use the guidance below to understand effects determination and to answer these questions.

If you answered “Yes” to both the question above, you have met eligibility USFWS Criterion C. Go to Step 4.

If you answered “No” to either of the questions above, you are not eligible for coverage by this permit. You must submit an application for an individual permit for your stormwater discharges. (See 40 CFR 122.21).

USFWS Effects Determination Guidance:

If you are unable to certify eligibility under USFWS Criterion A, you must assess whether your stormwater discharges and discharge-related activities “may affect”, will have “no affect” or are “not likely to adversely affect” listed species or critical habitat. “Discharge-related activities” include: activities which cause, contribute to, or result in point source stormwater pollutant discharges; and measures to provide treatment for stormwater discharges including the siting, construction and operational procedures to control, reduce or prevent water pollution. Please be aware that no protection from incidental take liability is provided under this criterion.

The scope of effects to consider will vary with each system. If you are having difficulty in determining whether your system is likely to cause adverse effects to a listed species or critical habitat, you should contact the USFWS for assistance. In order to complete the determination of effects it may be necessary to follow the formal or informal consultation procedures in section 7 of the ESA.

Upon completion of your assessment, document the results of your effects determination. If your results indicate that stormwater discharges or discharge related activities will have “no affect” on threatened or endangered species or critical habitat and EPA concurs with your determination, you are eligible under USFWS Criterion C of this Appendix. Your determination may be based on measures that you implement to avoid, eliminate, or minimized adverse effects.

If the determination is “May affect” or “not likely to adversely affect” you must contact the USFWS to discuss your findings and measures you could implement to avoid, eliminate, or minimize adverse effects. If you and the USFWS reach agreement on measures to avoid adverse effects, you are eligible under USFWS Criterion B. Any terms and/or conditions to protect listed species and critical habitat that you relied on in order to complete an adverse effects determination, must be incorporated into your Storm Water Management Program (required by this permit) and implemented in order to maintain permit eligibility.

If endangered species issues cannot be resolved: If you cannot reach agreement with the USFWS on measures to avoid or eliminate adverse effects then you are not eligible for coverage under this permit. You must seek coverage under an individual permit.

Effects from stormwater discharges and discharge-related activities which could pose an adverse effect include:

- *Hydrological:* Stormwater discharges may cause siltation, sedimentation, or induce other changes in receiving waters such as temperature, salinity or pH. These effects will vary with the amount of stormwater discharged and the volume and condition of the receiving water. Where a discharge constitutes a minute portion of the total volume of the receiving water, adverse hydrological effects are less likely.
- *Habitat:* Excavation, site development, grading and other surface disturbance activities, including the installation or placement of treatment equipment may adversely affect listed species or their habitat. Stormwater from the small MS4 may inundate a listed species habitat.

- *Toxicity:* In some cases, pollutants in the stormwater may have toxic effects on listed species.

Step 4 - Document Results of the Eligibility Determination

Once the USFWS ESA eligibility requirements have been met, you shall include documentation of USFWS ESA eligibility in the Storm Water Management Program required by the permit. Documentation for the various eligibility criteria are as follows:

- USFWS Criterion A: A copy of the IPaC generated preliminary determination letter indicating that no listed species or critical habitat is present within your action area. You shall also include a statement on how you determined that no listed species or critical habitat are in proximity to your stormwater system or discharges.
- USFWS Criterion B: A dated copy of the USFWS letter of concurrence on a finding of “no jeopardy” (for formal consultation) or “not likely to adversely affect” (for informal consultation) regarding the ESA section 7 consultation.
- USFWS Criterion C: A dated copy of the EPA concurrence with the operator’s determination that the stormwater discharges and discharge-related activities will have “no affect” on listed species or critical habitat.

C. Submittal of Notice of Intent

Once the ESA eligibility requirements of Part C of this Appendix have been met, you may submit the Notice of Intent indicating which Criterion you have met to be eligible for permit coverage. Signature and submittal of the NOI constitutes your certification, under penalty of law, of eligibility for permit coverage under 40 CFR 122.21.

D. Duty to Implement Terms and Conditions upon which Eligibility was Determined

You must comply with any terms and conditions imposed under the ESA eligibility requirements to ensure that your stormwater discharges and discharge related activities do not pose adverse effects or jeopardy to listed species and/or critical habitat. You must incorporate such terms and conditions into your Storm Water Management Program as required by this permit. If the ESA eligibility requirements of this permit cannot be met, then you may not receive coverage under this permit and must apply for an individual permit.

E. Services Information

United States Fish and Wildlife Service Office

National websites for Endangered Species Information:
Endangered Species home page: <http://endangered.fws.gov>
ESA Section 7 Consultations: <http://endangered.fws.gov/consultation/index.html>
Information, Planning, and Conservation System (IPAC): <http://ecos.fws.gov/ipac/>

U.S. FWS – Region 5
Supervisor

New England Field Office
U.S. Fish and Wildlife Services
70 Commercial Street, Suite 300
Concord, NH 03301

Natural Heritage Network

The Natural Heritage Network comprises 75 independent heritage program organizations located in all 50 states, 10 Canadian provinces, and 12 countries and territories located throughout Latin America and the Caribbean. These programs gather, manage, and distribute detailed information about the biological diversity found within their jurisdictions. Developers, businesses, and public agencies use natural heritage information to comply with environmental laws and to improve the environmental sensitivity of economic development projects. Local governments use the information to aid in land use planning.

The Natural Heritage Network is overseen by NatureServe, the Network's parent organization, and is accessible on-line at: http://www.natureserve.org/nhp/us_programs.htm, which provides websites and other access to a large number of specific biodiversity centers.

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U.S. Fish and Wildlife IPaC system instructions

Use the following protocol to determine if any federally listed species or designated critical habitats under USFWS jurisdiction exist in your action area:

Enter your project specific information into the “Initial Project Scoping” feature of the Information, Planning, and Conservation (IPaC) system mapping tool, which can be found at the following location:

<http://ecos.fws.gov/ipac/>

- a. Indicate the action area¹ for the MS4 by either:
 - a. Drawing the boundary on the map or by uploading a shapefile. Select “Continue”

- c. Click on the “SEE RESOURCE LIST” button and on the next screen you can export a trust resources list. This will provide a list of natural resources of concern, which will include an Endangered Species Act Species list. You may also request an official species list under “REGULATORY DOCUMENTS” Save copies and retain for your records

¹ The action area is defined by regulation as all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action (50 CFR §402.02). This analysis is not limited to the "footprint" of the action nor is it limited by the Federal agency's authority. Rather, it is a biological determination of the reach of the proposed action on listed species. Subsequent analyses of the environmental baseline, effects of the action, and levels of incidental take are based upon the action area.

The documentation used by a Federal action agency to initiate consultation should contain a description of the action area as defined in the Services' regulations and explained in the Services' consultation handbook. If the Services determine that the action area as defined by the action agency is incorrect, the Services should discuss their rationale with the agency or applicant, as appropriate. Reaching agreement on the description of the action area is desirable but ultimately the Services can only consult when an action area is defined properly under the regulations.

For storm water discharges or discharge related activities, the action area should encompass the following:

- The immediate vicinity of, or nearby, the point of discharge into receiving waters.
- The path or immediate area through which or over which storm water flows from the municipality to the point of discharge into the receiving water. This includes areas in the receiving water downstream from the point of discharge.
- Areas that may be impacted by construction or repair activities. This extends as far as effects related to noise (from construction equipment, power tools, etc.) and light (if work is performed at night) may reach.

The action area will vary with the size and location of the outfall pipe, the nature and quantity of the storm water discharges, and the type of receiving waters, among other factors.

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Attachment B
Granby Designated MS4 Area
IPaC Official Species List



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:

July 11, 2018

Consultation Code: 05E1NE00-2018-SLI-2350

Event Code: 05E1NE00-2018-E-05478

Project Name: Granby MS4 NOI

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

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Project Summary

Consultation Code: 05E1NE00-2018-SLI-2350

Event Code: 05E1NE00-2018-E-05478

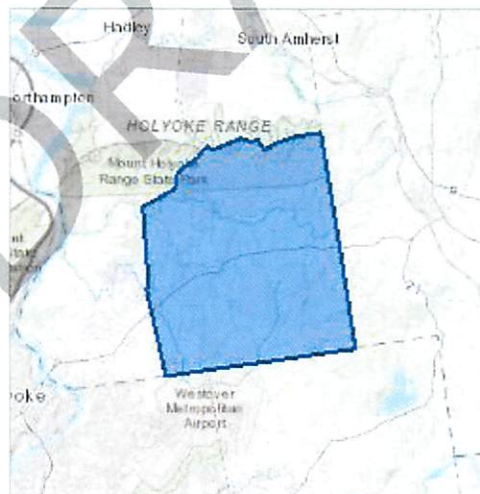
Project Name: Granby MS4 NOI

Project Type: Regulation Promulgation

Project Description: This project is applying for coverage under the 2016 MS4 General Permit. The project consists of the portion of the Town of Granby's small municipal separate storm sewer systems (MS4) that falls within the urbanized area of the town. Based on EPA's 2016 MS4 General Permit, the Town of Granby must apply for permit coverage for the Town's MS4 stormwater discharges and assess the impacts of the stormwater discharges and discharge-related activities on endangered and threatened species, and designated critical habitats that fall within the areas that fall within the MS4.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.26241716970995N72.50562334952141W>



Counties: Hampden, MA | Hampshire, MA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

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

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

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

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

Mammals

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

Flowering Plants

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

Critical habitats

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

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Attachment C
Federally Listed Endangered and Threatened Species
in Massachusetts

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES IN
MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Barnstable	Piping Plover	Threatened	Coastal Beaches	All Towns
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	All Towns
	Northeastern beach tiger beetle	Threatened	Coastal Beaches	Chatham
	Sandplain gerardia	Endangered	Open areas with sandy soils.	Sandwich and Falmouth.
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Bourne (north of the Cape Cod Canal)
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Berkshire	Bog Turtle	Threatened	Wetlands	Egremont and Sheffield
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Bristol	Piping Plover	Threatened	Coastal Beaches	Fairhaven, Dartmouth, Westport
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Fairhaven, New Bedford, Dartmouth, Westport
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Taunton
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Dukes	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	All Towns
	Piping Plover	Threatened	Coastal Beaches	All Towns
	Northeastern beach tiger beetle	Threatened	Coastal Beaches	Aquinnah and Chilmark
	Sandplain gerardia	Endangered	Open areas with sandy soils.	West Tisbury
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

Updated 02/05/2016

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES
IN MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Essex	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Gloucester, Essex and Manchester
	Piping Plover	Threatened	Coastal Beaches	Gloucester, Essex, Ipswich, Rowley, Revere, Newbury, Newburyport and Salisbury
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Franklin	Northeastern bulrush	Endangered	Wetlands	Montague, Warwick
	Dwarf wedgemussel	Endangered	Mill River	Whately
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Hampshire	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Hadley
	Puritan tiger beetle	Threatened	Sandy beaches along the Connecticut River	Northampton and Hadley
	Dwarf wedgemussel	Endangered	Rivers and Streams.	Hatfield, Amherst and Northampton
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Hampden	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Southwick
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Middlesex	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Groton
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Nantucket	Piping Plover	Threatened	Coastal Beaches	Nantucket
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Nantucket
	American burying beetle	Endangered	Upland grassy meadows	Nantucket
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

**FEDERALLY LISTED ENDANGERED AND THREATENED SPECIES
IN MASSACHUSETTS**

COUNTY	SPECIES	FEDERAL STATUS	GENERAL LOCATION/HABITAT	TOWNS
Plymouth	Piping Plover	Threatened	Coastal Beaches	Scituate, Marshfield, Duxbury, Plymouth, Wareham and Mattapoisett
	Northern Red-bellied Cooter	Endangered	Inland Ponds and Rivers	Kingston, Middleborough, Carver, Plymouth, Bourne, Wareham, Halifax, and Pembroke
	Roseate Tern	Endangered	Coastal beaches and the Atlantic Ocean	Plymouth, Marion, Wareham, and Mattapoisett.
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Suffolk	Piping Plover	Threatened	Coastal Beaches	Revere, Winthrop
	Red Knot ¹	Threatened	Coastal Beaches and Rocky Shores, sand and mud flats	Coastal Towns
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide
Worcester	Small whorled Pogonia	Threatened	Forests with somewhat poorly drained soils and/or a seasonally high water table	Leominster
	Northern Long-eared Bat	Threatened Final 4(d) Rule	Winter- mines and caves, Summer – wide variety of forested habitats	Statewide

¹Migratory only, scattered along the coast in small numbers

-Eastern cougar and gray wolf are considered extirpated in Massachusetts.

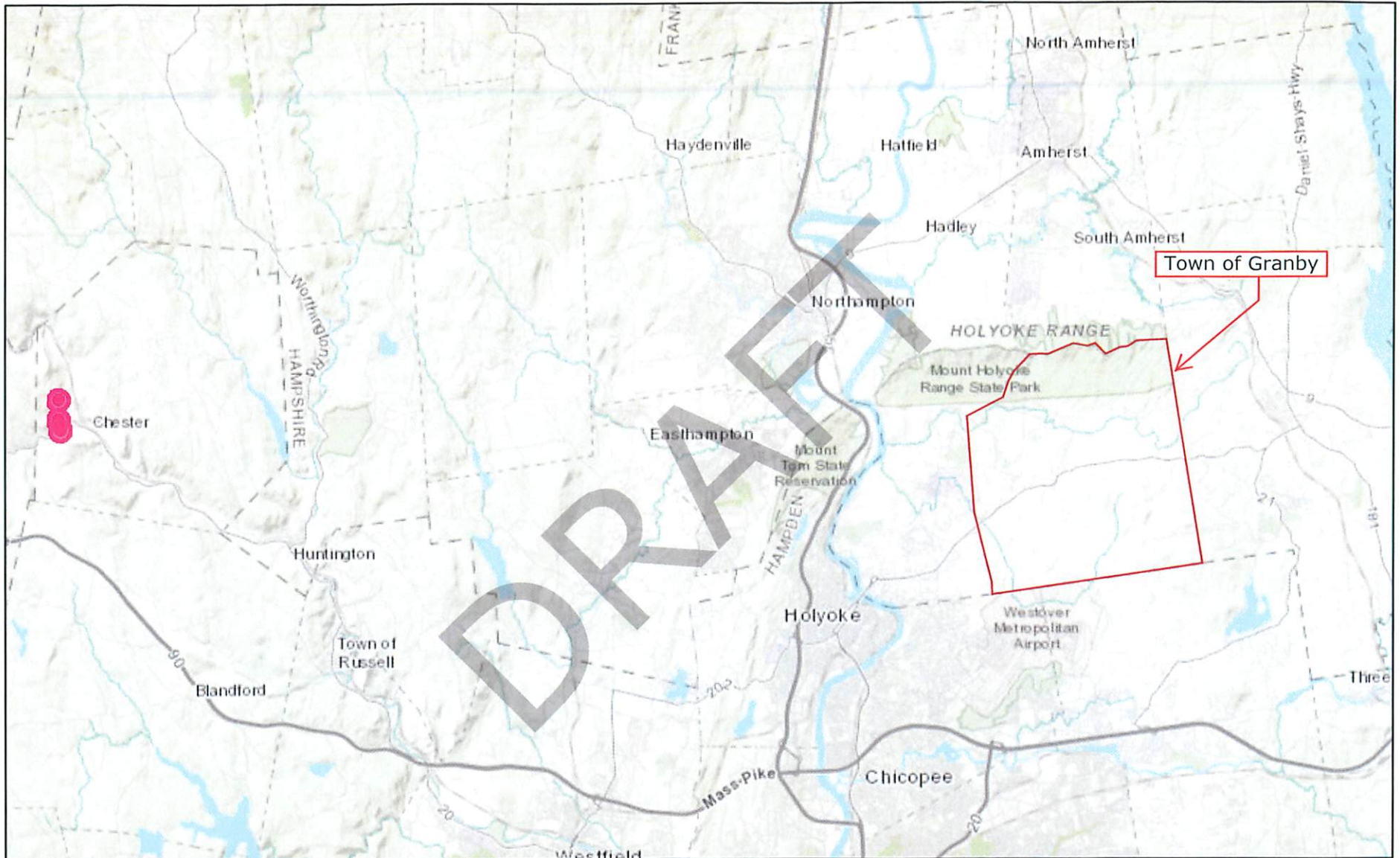
-Endangered gray wolves are not known to be present in Massachusetts, but dispersing individuals from source populations in Canada may occur statewide.

-Critical habitat for the Northern Red-bellied Cooter is present in Plymouth County.

DRAFT

Attachment D
Northern Long-eared Bat Location Map

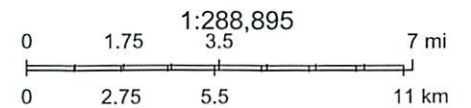
NHESP NLEB Locations - Granby ESA



July 20, 2018

Statewide NLEB Symbology

- Hibernaculum
- MA Northern Long-eared Bat Winter Hibernacula (with ¼ mile buffer)



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

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Attachment E

USFWS New England Field Office
"No Species Present" Letter
January 2018



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
<http://www.fws.gov/newengland>

January 8, 2018

To Whom It May Concern:

This project was reviewed for the presence of federally listed or proposed, threatened or endangered species or critical habitat per instructions provided on the U.S. Fish and Wildlife Service's New England Field Office website:

<http://www.fws.gov/newengland/EndangeredSpec-Consultation.htm> (accessed January 2018)

Based on information currently available to us, no federally listed or proposed, threatened or endangered species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service are known to occur in the project area(s). Preparation of a Biological Assessment or further consultation with us under section 7 of the Endangered Species Act is not required. No further Endangered Species Act coordination is necessary for a period of one year from the date of this letter, unless additional information on listed or proposed species becomes available.

Thank you for your cooperation. Please contact David Simmons of this office at 603-227-6425 if we can be of further assistance.

Sincerely yours,

Thomas R. Chapman
Supervisor
New England Field Office

Tighe&Bond

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APPENDIX F

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The Municipal Facilities O&M Plan is provided under separate cover.

Tighe&Bond

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APPENDIX G

STORMWATER MANAGEMENT PLAN AMENDMENT LOG

Amend. No.	Description of Amendment	Date of Amendment	Prepared by (Name/Title)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

DRAFT