

January 14, 2016

Martin Suuberg, Commissioner
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108

Re: 2016 Small Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System general permit

Dear Commissioner Suuberg:

The 35 undersigned environmental organizations in Massachusetts write to urge MassDEP to issue the 2016 MS4 general permit with EPA Region 1. We believe issuance of this permit now with MassDEP's full support is of the utmost importance to protect the health and safety of the Commonwealth's citizens, our economy and businesses that rely on inland and coastal waters, recreational and commercial opportunities, and of course, the water quality and ecological integrity of our water resources. Because the permit drives outcomes that will reduce contamination, "keep water local," and replenish our aquifers, it is also a key building block in the state's climate change preparedness.

As you know, polluted stormwater runoff is by far the single largest source of water pollution and the major reason more than half of our rivers, streams, lakes and ponds do not meet Massachusetts' water quality standards. Outbreaks of cyanobacteria blooms, or toxic blue green algae, harmful to people, pets and wildlife are on the rise as excessive nutrients combine with higher temperatures in our waterways. Jamaica Pond and the Chestnut Hill Reservoir in Boston, the Charles River Lower Basin, Wedge Pond in Winchester, White Pond in Concord, Willis Lake in Sudbury, Monponsett and Furnace Ponds in Pembroke, and Tully Lake in Royalston all experienced cyanobacteria outbreaks last summer, curtailing their use. Cyanobacteria can produce neurotoxins, which can become airborne, and there is emerging science linking it with neurological diseases.

The new permit will improve stormwater management, reducing nutrients, bacteria, oil and grease, sand and metals from entering our waterways through municipal storm drains. Capturing stormwater where it falls and infiltrating it into the ground cleans the water, and recharges groundwater on which many communities depend for their drinking water, and provides base flow in our rivers and streams. Because the permit promotes green infrastructure low impact development techniques (LID) for managing stormwater (for example, rain gardens, biofiltration basins, permeable pavement and constructed wetlands), it will also help to buffer communities from extreme storm events by collecting and infiltrating water upstream. At the same time, green infrastructure reduces heat island effects and is a valuable public realm improvement.

The benefits to citizens, the environment and our economic future are sizeable and the co-benefits are substantial. Many permit requirements, such as mapping drainage systems and eliminating illegal wastewater connections to them, are good municipal practices that will save communities money down the road.

Massachusetts cities and towns have been subject to MS4 permitting since 2003; this program's progress was expressly intended to be iterative and incremental. The new permit, long overdue, is the critical next step in cleaning up our waterbodies and protecting them for generations to come. While the new permit will create additional costs for municipalities, the good news is that many Massachusetts communities have joined stormwater coalitions to share best practices, and to purchase equipment and services to save on compliance costs. Regional Planning Agencies and environmental groups are already expending resources to help their communities meet the new requirements; these efforts involve technical assistance, help with grants to facilitate permit compliance, guidance on financing options, and fostering green infrastructure solutions at the local level. When municipalities avail themselves of these regional resources, the cost of compliance can be reduced significantly.

Municipalities look to MassDEP for direction and leadership on environmental issues. If MassDEP decides not to co-issue the MS4 permit, this would weaken compliance and enforcement and send a mixed message about the importance of stormwater management to the regulated community. Failing to co-issue the permit will also marginalize MassDEP in discussions with both municipalities and environmental organizations with respect to permit implementation. We in the environmental community ask you to exercise your leadership to support the MS4 permit, which will make our water resources more resilient, greatly improve water quality, fisheries and habitat, and help to ensure the constitutional right of the Commonwealth's citizens to clean water.

Sincerely,

Julia Blatt
Executive Director
Massachusetts Rivers Alliance

Bob Zimmerman
Executive Director
Charles River Watershed Association

John J. Clarke
Director of Public Policy and Government Relations
Mass Audubon

Nancy Goodman
Vice President for Policy
Environmental League of Massachusetts

Alison Bowden
Director of Freshwater Programs
The Nature Conservancy of Massachusetts

Elizabeth Saunders
Massachusetts Director
Clean Water Action

Grant Monahan
President
Belmont Citizens Forum

Rachel Calabro
President
Blackstone River Coalition

Donna Williams
President
Blackstone River Headwaters Coalition

JoAnne Holahan
President
Blackstone River Watershed Association

Renata von Tscharnner
President
Charles River Conservancy

Ivey St. John
President
Charlestown Waterfront Coalition

Andrew Fisk
Executive Director
Connecticut River Watershed Council

Dennis Regan
Berkshire Director
Housatonic Valley Association

Wayne Castonguay
Executive Director
Ipswich River Watershed Association

Pine Dubois
Executive Director
Jones River Watershed Association

Jane Calvin
Executive Director
Lowell Parks and Conservation Trust

Carol Oldham
Executive Director
Mass Climate Action Network

Joe Dorant
President
Massachusetts Organization of State Engineers and Scientists

Ed Himlan
Executive Director
Massachusetts Watershed Coalition

Caroly Shumway
Executive Director
Merrimack River Watershed Council

Ivan Ussach
Director
Millers River Watershed Council

EkOngKar Khalsa
Executive Director
Mystic River Watershed Association

Elizabeth Ainsley Campbell
Executive Director
Nashua River Watershed Association

Ian Cooke
Executive Director
Neponset River Watershed Association

Samantha Woods
Executive Director
North and South Rivers Watershed Association

Alison Field-Juma
Executive Director
OARS

George Comiskey
President
Parker River Clean Water Association

Topher Hamblett
Director of Policy
Save The Bay (RI)

Lisa Vernegaard
Executive Director
Sudbury Valley Trustees

Mary Antes
Secretary
Sudbury, Assabet and Concord Wild and Scenic River Stewardship
Council

Joe Callahan
President
Taunton River Watershed Association

Louis Bousquet
President
Taunton Wild and Scenic River Stewardship Council

William Rose
President
Westfield River Watershed Association

Deborah Weaver
Executive Director
Westport River Watershed Alliance

cc: The Honorable Charles Baker, Governor of Massachusetts
Secretary Matthew Beaton, Executive Office of Energy and Environmental Affairs
Undersecretary Ned Bartlett, Executive Office of Energy and Environmental Affairs