

Memorandum of
Understanding

ATTACHMENT 3

MEMORANDUM OF UNDERSTANDING

1. EPA has set a goal of restoring fishable and swimmable conditions in the Lower Charles River by Earth Day 2005. Controlling polluted storm water runoff is a critical element to achieving this goal.
2. Needham has developed a storm water management plan which was submitted to EPA in June 1998 (the Existing Plan). The goals of the Existing Plan are to effectively prohibit unauthorized discharges to the separate storm sewer system; and to reduce pollutant loadings from wet weather discharges to the maximum extent practicable.
3. EPA and its consultant, Center for Watershed Protection (CWP) have reviewed the Existing Plan and met with officials of Needham to discuss the Plan.
4. In July of 1999, CWP provided written comments on the Existing Plan. These comments were based on a review according to eight criteria essential to effective storm water management: source identification; land reclamation and restoration; riparian management; site design for redevelopment; erosion and sediment control; storm water Best Management Practices; municipal pollution prevention; and public education and outreach. Based on this review, CWP provided written comments including General Comments, Programmatic Strengths, and Areas for Improvement.
5. Needham agrees to immediately implement the Existing Plan and further agrees to amend and Implement its Final Storm Water Management Plan in accordance with the following schedule:
 - a. By May 30, 2000, Needham will provide EPA with a written summary of how it intends to address each of the recommendations contained in the Areas for Improvement portion of CWP's comments. This summary should provide sufficient detail to identify what Needham intends to do as well as how and when.
 - b. Needham agrees to meet with representatives of EPA to discuss the Areas of Improvement provided in the CWP comments. The goal of this meeting will be to discuss the Areas of Improvement and to propose dates and mechanisms by which these Areas for Improvement will be implemented.
 - c. By June 28, 2000 Needham will provide EPA with an amendment to the Existing Plan which incorporates changes agreed to as a result of discussions. With respect to those items in the Areas for Improvement that EPA and Needham agree cannot be implemented immediately, Needham will propose a schedule by which such items can be implemented.
 - d. The Existing Plan and the Amendment together shall become the Final Plan. Needham agrees to implement the Final Plan according to the schedule contained therein.

7. By December 31 of each year, Needham agrees to submit to EPA a report describing its accomplishments in complying with the MOA. The report should provide information for each of the activities described in the MOA and should provide quantitative data on activities undertaken, and progress on implementing activities identified in the Amendment, to the extent possible.

8. EPA intends to minimize any administrative burden associated with implementation of Phase II of the NPDES storm water program.

9. This memorandum reflects the intent of the parties. It does not create any legal rights which did not previously exist.

For EPA:

Mindy Lubber
Mindy Lubber
Regional Administrator

For: Needham

Municipal Official

Date: 5/8/00

Date: _____