



# TOWN OF MILTON, VERMONT 05468-3205

TOWN MANAGER'S OFFICE • 43 BOMBARDIER ROAD • 802-893-6655 • FAX: 893-1005

James Pease  
Agency of Natural Resources, DEC  
Water Quality Division  
103 South Main Street, Building 10N  
Waterbury, Vermont 05671-0408

January 12, 2004

VIA FAX (Hardcopy to follow)

Dear Mr. Pease:

Thank you for the opportunity to comment on the proposed amendment to NPDES General Permit 3-9014, which regulates municipal separate storm sewer systems (MS4). The Town understands that based on the 2000 Census a portion of Milton is considered "urbanized area" and has been automatically designated as an MS4 community. However, the Town believes that it is eligible for a waiver.

Although the urbanized area of Milton has more than 1,000 residents, a storm sewer system as defined by the EPA does not exist. Instead the area is primarily drained by infiltrating stormwater into sandy soils that predominate in Milton's Town Core. There are ditches, catch basins and storm sewer pipes dispersed throughout Milton; however, in many cases where stormwater conveyance exists in the public ROW, the outfalls occur on private land where the Town does not have jurisdiction. I do not believe this drainage meets the EPA definition of a system "owned by a *public body* that discharges into the waters of the United States". We ask that the Agency reconsider its definition of a municipal separate storm sewer system as it applies to Milton.

If Milton is required to comply with the NPDES permit for stormwater, consideration should be given to allow the Town an appropriate amount of time to prepare for the requirements of the regulation. It should be noted that the original entities subject to the permit had three years to familiarize themselves with the federal requirements governing this permit and met with State representatives in monthly meetings for over a year prior to issuance of the permit. It would seem appropriate to allow Milton adequate time to familiarize itself with the regulation as well. The Town will attempt to make a timely filing of its Notice of Intent to seek coverage under the permit as required by the federal rules. However, the stormwater management plan will be submitted only after it can be appropriately planned and budgeted. It would be shortsighted to rush and under fund a plan that is integral to the effective management of stormwater in our community. Any resources, such as grants, that can be provided by the State to help Milton meet the requirements of this unfunded and unanticipated mandate would be appreciated.

Again, thank you for providing the Town with this opportunity to comment. We hope that these comments will be appropriately considered.

Sincerely,

Sanford Miller, Town Manager

c. Andrew Legg, Town Engineer