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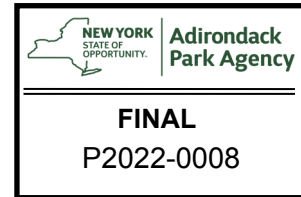
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**STORMWATER POLLUTION  
PREVENTION PLAN**

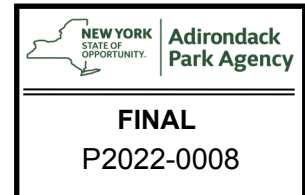
**for  
CONSTRUCTION ACTIVITIES  
At**

**WOODS HOLLOW CAMPGROUND**

**TOWN OF MAYFIELD**

Prepared for

Woods Hollow Mining Company  
Attn: Lane Winney  
128 Jamie Lane  
Broadalbin, NY 12025



Prepared by  
The Environmental Design Partnership, LLP  
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Clifton Park, NY 12065  
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**October 2021  
Revised August 2022**



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## **SECTION 1**

# **Written Stormwater Pollution Prevention Plan**



**STORMWATER POLLUTION  
PREVENTION PLAN  
for  
CONSTRUCTION ACTIVITIES  
at**

**WOODS HOLLOW ROAD  
RV PARK  
3245 WOODS HOLLOW ROAD  
TOWN OF MAYFIELD, NY**

**Prepared for**

**Woods Hollow Mining Company  
Attn: Lane Winney  
128 Jamie Lane  
Broadalbin, NY 12025**

**Prepared by  
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Clifton Park, NY 12065  
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**October 2021  
Revised August 2022**

**NOI Permittee: WOODS HOLLOW MINING CO.  
RV PARK – WOODS HOLLOW CAMPGROUND**





## **RV PARK – WOODS HOLLOW CAMPGROUND**

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### **I. SCOPE**

- A. **PURPOSE:** WOODS HOLLOW MINING CO. intends to implement the appropriate Stormwater Pollution Prevention Plan measures in accordance with the SPDES general permit governing stormwater discharges during construction, and in accordance with erosion control practices. This section provides a descriptive explanation of the means by which WOODS HOLLOW MINING CO. will comply with the National Stormwater Pollution Prevention Program.
- B. **NPDES GENERAL PERMITS FOR STORMWATER DISCHARGE FROM CONSTRUCTION SITES:** Regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC) regulate the discharge of storm water from construction activities on sites where one (1) or more acres of soil are disturbed. One of the ways to comply with these regulations for affected sites is to request coverage under the General Permit for Construction Activities (copy enclosed herewith). In order to be authorized to discharge under the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) for the site must be prepared in accordance with all applicable requirements of this permit and followed during the construction activities. If the construction activity is **not** subject to the requirements of a regulated, traditional land use control MS4, a Notice of Intent (NOI) form must be completed and received by the New York State Department of Environmental Conservation at least 5-days prior to any earth-disturbing activities. If the construction activity is subject to the requirements of a regulated, traditional land use control MS4, then the owner/operator must have its SWPPP reviewed and accepted by the MS4 prior to submitting the NOI to the Department. The owner/operator shall have the “MS4 SWPPP Acceptance” form signed and then submit that form along with the NOI to the Department.
- C. **RESPONSIBILITIES OF CONTRACTOR REGARDING THE GENERAL PERMIT:** The CONTRACTOR shall manage the discharge of stormwater from the site in accordance with the SPDES General Permit for Construction Activities conditions and the following provisions of this section of the specifications. The CONTRACTOR shall be responsible for conducting the stormwater management practices in accordance with the permit. The CONTRACTOR shall be responsible for providing qualified inspectors to conduct the inspections required by the SWPPP. The CONTRACTOR shall be responsible for any enforcement action taken or imposed by federal, state, or local agencies, including the cost of fines, construction delays, and remedial actions resulting from the CONTRACTOR’S failure to comply with the permit provisions. It shall be the responsibility of the CONTRACTOR to make any changes to the SWPPP necessary when the CONTRACTOR or any of his subcontractors elect to use borrow or fill or material storage sites, either contiguous to or remote from the construction site, when such sites are used solely for this construction site. Such sites are considered to be part of the construction site covered by the permit and this SWPPP. Off-site borrow, fill, or material storage sites which are used for multiple construction projects are not subject to this requirement, unless specifically required by state or local jurisdictional entity regulations. The CONTRACTOR should consider this requirement in negotiating with earthwork subcontractors, since the choice of an off-site borrow, fill, or material storage site may impact their duty to implement, make changes to, and perform inspections required by the SWPPP for the site.
- D. **NOTICE OF INTENT:** The NOI Permittee petitions the New York State Department of Environmental Conservation for the stormwater discharges during construction at this site to be covered by the SPDES General Permit for Construction Activity for the State of New York. A Notice of Intent (NOI) (using the form required by the NYSDEC) to be covered under this permit is hereby filed. An Erosion and Sediment Control Plan has been prepared and is attached herewith.
- E. **CONTRACTOR RESPONSIBILITIES:** The SWPPP and associated Erosion and Sediment Control Plans represent the **MINIMUM** erosion and sediment control measures that will be required to protect the site during construction. WOODS HOLLOW MINING CO. and the CONTRACTOR understand that additional erosion and sediment control measures will be necessary during construction. It will be the responsibility of the CONTRACTOR to implement additional erosion and sediment control measures as necessary to protect the site

during construction. WOODS HOLLOW MINING CO. and the CONTRACTOR shall designate a Project Manager prior to commencing construction. The Project Manager will ensure that all construction managers and sub-contractors are appropriately assigned and understand the importance of the following topics:

- Erosion and Sedimentation Control for Water Quality Protection
- Implementation of the Erosion and Sedimentation Control Plan
- The Importance to Proper Installation of Erosion and Sedimentation Control Measures
- Regular Inspection by qualified personnel of Erosion and Sedimentation Control Measures
- Diligent Maintenance of Erosion and Sedimentation Control Measures
- Contemporaneous preparation of accurate and complete records regarding inspection and maintenance of Erosion and Sedimentation Control Measures
- Record Keeping for Inspections and Maintenance activities

F. **REQUIREMENTS FOR THE CONTRACTOR AND SUBCONTRACTOR(S):** The *SWPPP Ledger* shall provide a “Contractor’s Certification Log” (**Form 2**), identifying the Company Name, Business Address and Telephone Number along with the Responsible Person for the CONTRACTOR and all subcontractors’ who will implement the measures identified in the SWPPP. Each of the entities identified on **Form 2** shall sign a “Contractor’s Certification” (**Form 3**), verifying they have been instructed and fully understand the requirements of the New York State Department of Environmental Conservation and SWPPP. **This certification must be signed, by a fully qualified individual on behalf of each entity, prior to the beginning of any construction activities and shall be filed in the project’s SWPPP Ledger.**

Additionally, the “Trained Contractor” must be identified on Form 3 and his/her credentials should be kept on-site in the SWPPP ledger.

G. **STORMWATER POLLUTION PREVENTION PROGRAM LOCATION REQUIREMENTS:** The *SWPPP Ledger* is meant to be a working document that shall be maintained at the site of the Construction Activities at all times throughout the project, shall be readily available upon request by the NOI Permittee’s personnel or New York State Department of Environmental Conservation or any other agency with regulatory authority over stormwater issues, and shall be kept on-site until the site complies with the Final Stabilization section of this document. Refer to Part VII., F., Duty to Provide Information, of the General Permit for additional public viewing requirements.

H. **SWPPP LEDGER:** The SWPPP Ledger shall be a 3-ring Binder, tabbed and indexed for the following sections:

**SECTION 1:**

- **Written SWPPP**

**SECTION 2:**

- **Site Map and General Location Map**
- **Erosion and Sediment Control Plan(s)**

**SECTION 3:**

- **New York State Notice of Intent (Pending)**
- **New York State NOI Acknowledgement Letter (Pending)**
- **New York State MS4 SWPPP Acceptance Form (Pending)**

**SECTION 4:**

- **New York State SPDES General Permit**

**SECTION 5:**

- **NOI Permittee's Certification (Form 1)**
- **Contractor's/Subcontractor's Certification Log (Form 2)**
- **Contractor's Certification for each contractor listed on Form 2 (Form 3)**
- **Inspection Report (Form 4)**
- **Modification Report (Form 5)**
- **Record of Stabilization and Construction Activities Report (Form 6)**
- **Record of Temporary Erosion and Sediment Control Practices (Form 6A)**
- **Project Rainfall Log (Form 7)**
- **Final Stabilization/Termination Checklist (Form 8)**

**SECTION 6:**

- **Supplemental Information**
  - Stormwater Management Design Narrative (pending)
  - OPRHP Letter of "No Impact" on Archaeological and/or Historic Places (pending)
  - NYSDEC Letter stating "No Records" (pending)
  - USFW Letter of No Endangered Species (pending)
  - FEMA Flood Mapping
  - USDA Web Soil Survey Mapping

**SECTION 7:**

- **Completed Inspection Forms**

The Project Manager must review and evaluate for compliance the *SWPPP Ledger* at each Project Review meeting. All Inspection and Maintenance Forms (*Forms 4 - 7*) will be initialed by the Project Manager at each reporting interval.

- I. **INSPECTIONS AND RECORD KEEPING:** Inspections are required at least weekly by a "Qualified Inspector". Sites that have a waiver to disturb greater than five (5) acres require two (2) inspections every seven (7) days with at least two (2) days between inspections. Inspections shall continue until the site complies with the "Final Stabilization" section of this document and a Notice of Termination (NOT) has been filed with the NYSDEC. Each inspection must be followed up by a report documenting the inspector's findings and request the required maintenance and/or repair for the erosion and sedimentation control measures. The inspector shall notify the Project Manager within one day of the inspection of any deficiencies. Within one day of this notification the Project Manager must commence with corrective measures. It is imperative that the Project Manager documents the Inspection and Maintenance of all erosion and sedimentation control measures as soon as possible after the inspection and/or maintenance is completed. These records are used to prove that the required inspection and maintenance were performed and shall be placed in the *SWPPP Ledger*. In addition to inspection and maintenance reports, records should be kept of the Construction Activities that occur on the site. The Project Sponsor shall retain copies of the SWPPP, all reports and data for a minimum of five (5) years after the project is complete. The following list identifies the **required** Inspection and Maintenance documentation that must be maintained by the Project Manager under this SWPPP.

- **Form 4            Inspection Report for SWPPP**
- **Form 5            Requested Changes to the SWPPP (Modification Report)**
- **Form 6            Record of Stabilization and Construction Activities**
- **Form 6A          Record of Temporary Erosion and Sediment Control Practices**
- **Form 7            Project Rainfall Log**

- J. **SWPPP MODIFICATIONS:** The inspection report should also identify if any revisions to the SWPPP are warranted due to unexpected conditions. The SWPPP is meant to be a dynamic working guide that is to be kept

current and amended whenever the design, construction, operation, or maintenance of the site changes in a way which significantly affects the potential for the discharge of pollutants or when the plan proves to be ineffective in eliminating or significantly minimizing pollutant discharges. Any such changes to the SWPPP must be made in writing on the Modification Report Form (**Form 5**) within 7 days of the date such modification or amendment is made. The CONTRACTOR'S failure to monitor or report deficiencies to the NOI Permittee will result in the CONTRACTOR being liable for fines and construction delays resulting from any federal, state, or local agency enforcement action.

- K. **FINAL STABILIZATION AND TERMINATION OF PERMIT COVERAGE:** The site will be considered finally stabilized when all soil disturbing activities have been completed and a uniform perennial vegetative cover for the unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures have been established and the development area no longer discharges stormwater associated with construction activities and a Notice of Termination (NOT) form filed by the NOI Permittee with the New York State Department of Environmental Conservation. This filing terminates coverage under the General Permit and terminates the CONTRACTOR'S responsibility to implement the SWPPP. Requirements of the SWPPP, including periodic inspections, must be continued until the NOT is filed.

## **II. SITE DESCRIPTION**

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A. PROJECT NAME AND LOCATION

The WOODS HOLLOW MINING CO. project site is geographically situated at Latitude N 43° 03' 44.6", Longitude W 74° 13' 35.7" in the Town of MAYFIELD, FULTON COUNTY, NEW YORK. The site (tax parcels 37.-4-56, 137.-4-55, 137.-4-51, 137.-4-52, and 137.-4-54.11) is located at 3425 Woods Hollow Road. The project site is comprised of 83.4± acres of land. The overall maximum disturbance is 61± acres. The site is currently vacant and undeveloped, consisting mainly of forested land and vacant fields. The project is bounded on the east by the GREAT SACANDAGA LAKE, and on the north, south and west by NYS Route 30 and PRIVATE PROPERTY. Access to the project will be from WOODS HOLLOW ROAD and NYS Route 30. The entire parcel will remain privately owned and maintained. Approximately 21± acres of impervious surfaces, including travel surfaces and buildings will be constructed. Reclamation of disturbed areas will be conducted on an ongoing basis as construction progresses.

B. NOI PERMITTEE'S NAME AND ADDRESS

**WOODS HOLLOW MINING CO.  
128 JAMIE LANE  
BROADALBIN, NY 12025**

C. PROJECT DESCRIPTION

This project will involve the construction of an RV Park, construction of gravel access roads, gravel parking pads, RV and glamping sites, recreational areas, associated utilities, and curb cuts on NYS Route 30 and Woods Hollow Road as approved by the TOWN OF MAYFIELD. The estimated time for completion of the construction project is approximately three years. Soil disturbing activities will include:

1. Construction of stabilized construction access points; installation of erosion and sediment controls
2. Clearing and grubbing as needed
3. Construction of stormwater management areas
4. Construction of gravel access roads
5. Construction of utilities including water, electric and septic systems
6. Construction of recreational facilities
7. Roadway/Site Grading

D. RUNOFF COEFFICIENT, SOILS, AND RAINFALL INFORMATION

The predevelopment Curve Number (CN) for the wooded area was determined to be 30. The weighted predevelopment curve number was determined to be 30. Soils within the project area consist of deep, excessively drained coarse sand that fall in the hydrological soil group A, as described by the Soil Conservation Service. The post development CN for the disturbed grass areas is 30; the weighted post-development CN for the post-development contributing area is 31. A CN of 91 was used for all post-development impervious surface areas. A detailed description of the soil and groundwater conditions will be presented in the Stormwater Management Report, included in Section 6: Supplemental Information of the SWPPP.

The site is in Fulton County, which receives an average of 46.6 inches of rainfall annually with the highest amounts of rainfall received in the months of June and October.

E. NAME OF RECEIVING WATERS

Drainage will be directed via sheet flow and vegetated swales to multiple infiltration basins, with emergency overflows directed to the existing drainage corridors, as described in the Stormwater Management Report in Section 6. The drainage corridor is tributary to the Great Sacandaga Lake. A detailed description of the overall drainage area will be presented in the Stormwater Management Report, included in Section 6: Supplemental Information of the SWPPP.

F. INDIAN COUNTRY LANDS

The site is not located on any known current or previously designated Indian Country lands.

G. ENDANGERED OR THREATENED SPECIES

A review of the New York State Department of Environmental Conservation's (NYSDEC) Environmental Resource Mapper (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>) indicated no other known State regulated rare plants, rare animals or significant natural communities on-site.

An inquiry to the U.S. Fish and Wildlife Service's NY field office indicated there are no endangered species within the project area. Once confirmation has been received, additional information will be included in the SWPPP.

H. HISTORIC / ARCHEOLOGICAL RESOURCED

A review of the New York State Historic Preservation Office (OPRHP) Cultural Resource Information System (CRIS)) indicated that the site is not located in an archeological sensitive area. Once confirmation has been received, additional information will be included in the SWPPP.

### III. CONTROLS

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A. EROSION AND SEDIMENT CONTROLS

The following section describes the anticipated Erosion and Sediment Controls required for use during construction of the proposed site. These controls represent the **MINIMUM** erosion and sediment control measures that will be required to protect the site during construction. **Additional erosion and sediment control measures will be necessary during construction.** It will be the responsibility of the NOI permittee to authorize the CONTRACTOR to implement all additional erosion and sediment control measures necessary to protect the site during construction.

1. Stabilization practices include (but not limited to):
  - a) Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed
  - b) Frequent watering of excavation and fill areas to minimize wind erosion during construction.
  - c) Use of stabilization fabric for all slopes having a slope of 1V:3H or greater.
  - d) Seeding and planting of all unpaved areas
    - Temporary seedings should be made within 24 hours of construction or disturbance. If not, the soil must be scarified prior to seeding.
    - Broadcasting or hydroseeding may be used as seeding methods.
    - Seeding mixtures should be as follows
      - a) Ryegrass (annual or perennial) applied at 30 lbs. per acre (0.7 lbs./1000 sq. ft.)
      - b) Certified "Aroostook" winter rye (cereal rye) applied at 100 lbs. per acre (2.5 lbs./1000 sq. ft.) \*Winter rye shall be used if seeding in October/November.
      - c) Solar Ernst Seed Mix
  - e) Topsoiling
    - Scarify all compact, slowly permeable, medium and fine textured subsoil areas. Scarify at approximately right angles to the slope direction in soil areas that are steeper than 5 percent.
    - Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.
    - Topsoil material shall have at least 2 percent by weight of fine textured stable organic material, and no greater than 6 percent.
    - Topsoil shall have no less than 20 percent fine textured material (passing the No. 200 sieve) and not more than 15 percent clay.
    - Topsoil shall not be placed when it is partly frozen, muddy, or on frozen slopes or over ice, snow, or standing water.
  - f) Mulching
    - For grass / legume establishment apply straw mulch applied at 2 ton/acre (90 lbs./1000 sq. ft.) and anchor with wood fiber mulch (hydromulch) at 500-750 lbs./acre (11 – 17 lbs./1000 sq. ft.)
  - g) Protecting Vegetation During Construction
    - Limit soil placement over existing tree and shrub roots to a maximum of 3 inches.
    - Use retaining walls and terraces to protect roots of trees and shrubs when grades are lowered. Lowered grades should start no closer than the dripline of the tree.
    - Avoid trenching within the dripline of the tree.
    - Construction limits should be identified and clearly marked to exclude equipment.
  
2. Structural practices include (but not limited to):
  - a) Inlet protection and outlet protection using filter socks
    - See detail on Erosion and Sediment Control Plans
  - b) Perimeter protection using filter socks
  - c) Sediment basins
  - d) Stabilized construction exit points
    - Aggregate size shall be 2 inch stone or reclaimed / recycled concrete equivalent
    - Thickness shall be not less than 6 inches
    - Width to be the full width of the access point, but not less than 12 ft
    - Length shall be as required, but not less than 50 ft.
    - Filter cloth shall be applied over the entire area to be covered with aggregate
    - The entrance shall be maintained in a condition which will prevent tracking of sediment onto public rights-of-way or streets. When necessary, wheels must be cleaned to remove sediment prior to entrance onto public rights-of-way.
  - e) Stormwater infiltration basins
  - f) Temporary sediment basins

- i) Stone Check Dam
  - Use graded stone 2 to 15 inches in size
  - Sediment accumulated behind the check dam shall be removed as needed to allow drainage through the check dam and prevent large flows from carrying sediment over the dam.

3. Sequence of Major Activities

The CONTRACTOR will be responsible for implementing erosion and sediment control measures outlined in the SWPPP and any additional erosion and sediment control measures required to stabilize the site. The CONTRACTOR may designate these tasks to certain subcontractors as appropriate, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the CONTRACTOR. The order of activities will be as follows (refer to Stormwater Pollution Prevention Plan Sheet contained in this SWPPP for additional details):

- a) Preconstruction meeting with all required parties. The Town of Mayfield shall participate in the preconstruction meeting as they are the regulated land-use MS4.
- b) Construct temporary construction exits at locations shown on the SWPPP plan sheet. Install gravel access roads as needed. Install perimeter filter socks, sediment basins, and other erosion control features.
- c) After the installation of temporary erosion and sediment control devices, CONTRACTOR shall request an inspection of all temporary erosion and sediment control devices by the Town's Stormwater Program Coordinator. This inspection request should be made at least 48 hours in advance.
- d) Begin clearing and grubbing operations. Clearing and grubbing shall be done only in areas where earthwork will be performed and only in areas where building is planned to commence within 7 days after clearing and grubbing. Clearing and grubbing operations shall be limited so that no more than 5 acres of disturbed soil exists at any one time without prior written approval from the NYS DEC.
- e) Frequent watering of the excavation and fill areas shall be done to minimize wind erosion.
- f) Commence site grading and installation of stormwater management features.
- g) Installation of Gravel Access Roads
- h) Installation of Utilities
- i) Installation of Access Pads and Glamping Platforms
- j) Installation of recreational equipment including docks
- k) Topsoil replacement, final grading, seeding and planting.
- l) Installation of fencing and required signage.
- m) Removal of erosion and sediment control features and stabilized construction entrances once 80% permanent stabilization has been attained.

4. Stormwater Management

The proposed stormwater management system was designed by The Environmental Design Partnership, Clifton Park, NY. The following paragraphs summarize the stormwater management



measures to be incorporated on the site to control pollutants in stormwater discharges after construction is completed. A copy of the Stormwater Management Report is enclosed under Section 6 – Supplemental Information.

Several stormwater management areas, constructed as infiltration basins will be constructed to provide sufficient volume to hold all storm events up to the 100-year storm event and allow the water to recharge into the ground. The basins will have an emergency overflow spillway area to provide a safe overland flow path in the event that the basin capacities area exceeded. The stormwater basins contain forebays with sufficient volume to store the "Water Quality Volume", specified by the NYS DEC Stormwater Design Manual, or vegetated swales to provide pretreatment.

5. Post-Construction Maintenance of the Stormwater Management System

Post construction maintenance and protection of the Stormwater Management System shall be performed in accordance with Section VI. LONG TERM OPERATION AND MAINTENANCE PROCEDURES of the SWPPP.

B. OTHER CONTROLS

1. Waste Disposal

All waste materials will be collected and stored in a securely lidded metal dumpster rented from a local waste management company which must be a solid waste management company licensed to do business in New York State. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied as often as necessary, and the trash will be hauled to a landfill approved by New York State and the local government authority. No construction waste materials will be buried on site. All personnel will be instructed regarding the correct procedures for waste disposal. Notices stating these practices will be posted in the job site construction office trailer, and the job site superintendent will be responsible for seeing that these procedures are followed.

2. Sanitary Waste

All sanitary waste will be collected from the portable units a minimum of two times per week by a licensed portable facility provider in complete compliance with local and state regulations.

3. Off-Site Vehicle Tracking

A stabilized construction exit will be provided to help reduce vehicle tracking of sediments. The paved streets adjacent to the site entrance will be inspected daily and swept as necessary to remove any excess mud, dirt, or rock tracked from the site. Dump trucks hauling material from the construction site will be covered with a tarpaulin. The job site superintendent will be responsible for seeing that these procedures are followed.

4. Concrete Waste From Concrete Trucks

a) Emptying of excess concrete and/or washout from concrete delivery trucks will be allowed on the job site, but only in either (1) specifically designated diked areas which have been prepared to prevent contact between the concrete and/or washout and stormwater which will be discharged from the site or (2) in locations where waste concrete can be poured into forms to make riprap or other useful concrete products.

- b) The hardened residue from the concrete washout diked areas will be disposed of in accordance with the procedures given in the Spill Prevention Control and Countermeasures (SPCC) Plan and in accordance with applicable state and federal regulations. The job site superintendent will be responsible for seeing that these procedures are followed.

5. Hazardous Substances and Hazardous Waste

- a) All hazardous waste materials will be disposed of by the CONTRACTOR in the manner specified by local, state, and/or federal regulations and by the manufacturer of such products. Site personnel will be instructed in these practices by the job site superintendent, who will also be responsible for seeing that these practices are followed. Material Safety Data Sheets (MSDS's) for each substance with hazardous properties that is used on the job site will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the SWPPP file at the job site construction trailer office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.
- b) The CONTRACTOR will implement the Spill Prevention Control and Countermeasures (SPCC) Plan found within this SWPPP and will train all personnel in the proper cleanup and handling of spilled materials. No spilled hazardous materials or hazardous wastes will be allowed to come in contact with stormwater discharges. If such contact occurs, the stormwater discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated stormwater. It shall be the responsibility of the job site superintendent to properly train all personnel in the use of the SPCC plan.
- c) Any spills of hazardous materials which are in quantities in excess of Reportable Quantities as defined by EPA regulations shall be immediately reported to the EPA National Response Center 1-800-424-8802.
- d) In order to minimize the potential for a spill of hazardous materials to come into contact with stormwater, the following steps will be implemented:
- All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use. All such materials shall have secondary containment to prevent contamination of soil and runoff.
  - The minimum practical quantity of all such materials will be kept on the job site.
  - A spill control and containment kit (containing, for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
  - All of the product in a container will be used before the container is disposed of. All such containers will be triple-rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with stormwater discharges.
  - All products will be stored in and used from the original container with the original product label.

- All products will be used in strict compliance with instructions on the product label.
  - The disposal of excess or used products will be in strict compliance with instructions on the product label.
6. Contaminated Soils
- a) Any contaminated soils (resulting from spills of materials with hazardous properties) which may result from construction activities will be contained and cleaned up immediately in accordance with the procedures given in the Spill Prevention Control and Countermeasures (SPCC) Plan and in accordance with applicable state and federal regulations.
  - b) The job site superintendent will be responsible for seeing that these procedures are followed.

#### **IV. COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS**

- A. The CONTRACTOR will obtain copies of any and all local and state regulations that are applicable to stormwater management, erosion control, and pollution minimization at this job site and will comply fully with such regulations. The CONTRACTOR will submit written evidence of such compliance if requested by any agent of a regulatory body. The CONTRACTOR will comply with all conditions of the New York State Department of Environmental Conservation SPDES General Permit for Construction Activities, including the conditions related to maintaining the SWPPP and evidence of compliance with the SWPPP at the job site and allowing regulatory personnel access to the job site and to records in order to determine compliance.

#### **V. MAINTENANCE/INSPECTION PROCEDURES DURING CONSTRUCTION**

- A. Erosion and Sediment Control and Stabilization Measures Maintenance and Inspection Practices
  1. The following is a list of erosion and sediment controls to be used on this site during construction practice.
    - a) Stabilization practices for this site include:
      - Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed
      - Frequent watering of excavation and fill areas to minimize wind erosion during construction.
      - Use of stabilization fabric for all slopes having a slope of 1V:3H or greater.
      - Permanent seeding and planting of all unpaved areas using the hydromulching grass seeding technique.
    - b) Structural practices for this site include:
      - Perimeter protection using Filter Socks
      - Stabilized construction exit points
      - Stormwater infiltration basins
  2. The following inspection and maintenance practices will be used to maintain erosion and sediment controls and stabilization measures.
    - a) All control measures will be inspected once every seven (7) days at a minimum. Sites that have a waiver to disturb greater than five (5) acres require two (2) inspections every seven (7) days with at least two (2) days between inspections.
    - b) All measures will be maintained in good working order; if repairs are found to be necessary, they will be initiated within 24 hours of report.
    - c) Built up sediment will be removed from Filter Socks when it has reached one-third the height of the fence.

- d) Filter Socks will be inspected for depth of sediment, tears, etc., to see if the fabric is securely attached to the fence posts, and to see that the fence posts are securely in the ground.
- e) The sediment basins will be inspected for depth of sediment, and built-up sediment will be removed when it reaches 50 percent of the capacity.
- f) Temporary and permanent seeding and all other stabilization measures will be inspected for bare spots, washouts, and healthy growth.
- g) A maintenance inspection report will be made after each inspection. Copies of the report forms to be completed by the inspector are included in this SWPPP.
- h) The job site superintendent will be responsible for selecting and training the individuals who will be responsible for these inspections, maintenance and repair activities, and filling out inspection and maintenance reports.
- i) Personnel selected for the inspection and maintenance responsibilities will receive appropriate instruction from the job site superintendent. They will be trained in all the inspection and maintenance practices necessary for keeping the erosion and sediment controls that are used onsite in good working order. They will also be trained in the completion of, initiation of actions required by, and the filing of the inspection forms. Documentation of this personnel training will be kept on site with the SWPPP.
- j) Disturbed areas and material storage areas will be inspected for evidence of or potential for pollutants entering stormwater systems.
- k) Report to the NYS Department of Environmental Conservation within 24 hours any noncompliance with the SWPPP that will endanger public health or the environment. Follow up with a written report within 5 days of the noncompliance event.

**B. Inspection and Maintenance Report Forms**

Once installation of any required or optional erosion control device or measure has been implemented, weekly inspections of each measure shall be performed by the CONTRACTOR'S inspection personnel. The Inspection and Maintenance Reports found in this SWPPP shall be used by the inspectors to inventory and report the condition of each measure to assist in maintaining the erosion and sediment control measures in good working order.

These report forms shall become an integral part of the SWPPP and shall be made readily accessible to governmental inspection officials, the NOI Permittee's Engineer, and the NOI Permittee for review upon request during visits to the project site. In addition, copies of the reports shall be provided to any of these persons, upon request, via mail or facsimile transmission. Inspection and maintenance report forms are to be maintained by the NOI Permittee for five years following the final stabilization of the site.

**C. Other Record-Keeping Requirements**

The CONTRACTOR shall keep the following records related to construction activities at the site:

- Dates when major grading activities occur and the areas that were graded
- Dates and details concerning the installation of structural controls
- Dates when construction activities cease in an area
- Dates when areas are stabilized, either temporarily or permanently
- Dates of rainfall and the amount of rainfall
- Dates and descriptions of the character and amount of any spills of hazardous materials
- Records of reports filed with regulatory agencies if reportable quantities of hazardous materials spilled

**D. Winter Operations**

The following is a list of erosion and sediment controls and inspection and maintenance practices for winter operations for this site.

- a) **Prior to November 1<sup>st</sup> of any given year all exposed soil areas must be covered with:**
  - o Mulch

- Seed and mulch
  - Geotextile
  - Erosion control matting
  - Rock or
  - Other approved mulch to prevent soil from eroding
- b) Install sediment barriers (silt fence or drop inlet protection) at ALL necessary perimeter and sensitive locations BEFORE SOIL FREEZES.
- c) Slopes and Stockpiles:
- Protect slopes and stockpiles with anchored straw or mulch, rolled erosion control product or other durable covering.
  - Sediment barrier must be installed around piles and at slope toes to prevent soil transport from the pile or slope.
  - Stabilize exposed areas BEFORE snow covers them.
- d) All entrance/exit locations must be properly stabilized and maintained to accommodate snow management.
- e) Inspections:
- If soil disturbance is COMPLETELY suspended AND site is PROPERLY STABILIZED, qualified inspection frequency may be reduced with written notification to NYSDEC or MS4.
  - Confirmation must be received from NYSDEC prior to reducing inspection frequency.
  - Monthly inspections must be performed at a minimum.
  - Sediment control measures should be checked after rain or snowmelt events.
  - Regular inspections must resume by March 15<sup>th</sup>.

## **VI. LONG TERM OPERATION AND MAINTENANCE PROCEDURES**

---

The proposed WOODS HOLLOW MINING CO. project will be PRIVATELY OWNED and the operation and maintenance requirements will be the responsibility of the OWNER.

The entire Stormwater Management System shall be inspected on a yearly basis to ensure that the system operates in the manner originally intended. Specific components of the system shall require additional attention as described below.

1. Infiltration basins
  - a. Basins shall be inspected annually and following major storm events to ensure the system operates in the manner originally intended. The inspection should include, but not be limited to, the following components; embankment, emergency spillway, drain, accumulation of sediment, and general erosion control measures.
  - b. Re-grading and re-vegetation shall be performed as necessary and rip-rap shall be replaced as necessary.
  - c. Embankments shall be mowed a minimum of twice per year to discourage woody growth and control weeds.
  - d. Debris and litter shall be removed from basins during regular mowing operations or more frequently as necessary.
  - e. Accumulated sediment shall be removed from the infiltration area when 10 percent of the basin capacity has been lost due to sedimentation or at a minimum of every 10 to 20 years.
2. Open Channels
  - a. Open channels shall be inspected annually and following major storm events to ensure the system operates in the manner originally intended.
  - b. Removal of sediment build-up within the bottom of the channel or filter strip shall be required

when 25% of the channel volume has been exceeded.

3. Vegetated Filter Strips

- a. Vegetated Filter Strips shall be inspected annually and following major storm events to ensure the system operates in the manner originally intended.
- b. Re-grading and re-vegetation shall be performed as necessary.
- c. Filter Strip shall be mowed a minimum of twice per year to discourage woody growth and control weeds.
- d. Debris and litter shall be removed from gravel diaphragm during regular mowing operations or more frequently as necessary.

4. Soil Restoration

- a. Initial inspections for the first six (6) months (once after each storm greater than half-inch)
- b. Reseeding to repair bare or eroding areas to ensure grass stabilization.
- c. Water once every three (3) days for first month, then provide a half inch of water per week during first year. Irrigation plan to be adjusted according to rain events.
- d. Fertilization may be needed in the fall after the first growing season to increase plant vigor.
- e. Plant appropriate ground cover with deep roots to maintain soil structure
- f. Keep decompacted areas free of vehicular and foot traffic or other weight loads.
- g. Dethatch turf every few years or as necessary.

**STORMWATER POLLUTION PREVENTION PLAN**  
**SUMMARY OF EROSION AND SEDIMENT CONTROL AND STABILIZATION MEASURES**  
**MAINTENANCE/INSPECTION PROCEDURES**

- All control measures will be inspected at least once every seven (7) days. Sites that have a waiver to disturb greater than five (5) acres require two (2) inspections every seven (7) days with at least two (2) days between inspections.
- All measures will be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours of report.
- Built-up sediment will be removed from silt fences when it has reached one-third the height of the fence.
- Silt fences will be inspected for depth of sediment, tears, to see if the fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
- Sediment basins, if present, will be inspected for depth of sediment, and built-up sediment will be removed when it reaches 50% of the design capacity or at the end of the job.
- Diversion dikes, if present, will be inspected and any breaches promptly repaired.
- Temporary and permanent seeding and planting and other stabilization measures will be inspected for bare spots, washouts, and healthy growth.
- A maintenance inspection report will be made after each inspection. Copies of the report forms to be used are included in this SWPPP.
- The site job superintendent will select the individuals who will be responsible for inspections, maintenance and repair activities, and filling out the inspection and maintenance reports.
- Personnel selected for inspection and maintenance responsibilities will receive training from the site job superintendent. They will be trained in all the inspection and maintenance practices necessary for keeping the erosion and sediment controls used onsite in good working order.
- Disturbed areas and materials storage areas will be inspected for evidence of or potential for pollutants entering stormwater systems.
- Report to The Department of Environmental Conservation within 24 hours any noncompliance with the SWPPP that will endanger public health or the environment. Follow up with a written report within 5 days of the noncompliance event.

**STORMWATER POLLUTION PREVENTION PLAN**  
**CONSTRUCTION/IMPLEMENTATION CHECKLIST**

1. Maintain Records (Project Manager) of Construction Activities, including:
  - Dates when major grading activities occur
  - Dates when construction activities temporarily cease on a portion of the site
  - Dates when construction activities permanently cease on a portion of the site
  - Dates when stabilization measures are initiated on the site
  - Dates of rainfall and the amount of rainfall
  - Dates and descriptions of the character and amount of any spills of hazardous materials
  - Records of reports filed with regulatory agencies if reportable quantities of hazardous materials spilled
  
2. Prepare Inspection Reports (Qualified Inspector) summarizing:
  - Name of inspector
  - Qualifications of inspector
  - Measures/areas inspected
  - Observed conditions
  - Changes necessary to the SWPPP
  
3. Report Releases of Reportable Quantities of Oil or Hazardous Materials (Project Manager, if they occur):
  - Notify National Response Center (1-800-424-8802) immediately
  - Notify permitting authority in writing within 14 days
  - Modify the pollution prevention plan to include:
    - the date of release
    - circumstances leading to the release
    - steps taken to prevent reoccurrence of the release
  
4. Modify Pollution Prevention Plan (per Qualified Inspector) as necessary to:
  - Comply with the minimum permit requirements when notified by The Department of Environmental Conservation that the plan does not comply
  - Address a change in design, construction operation, or maintenance that has an effect on the potential for discharge of pollutants
  - Prevent reoccurrence of reportable quantity releases of a hazardous material or oil



## **VII. SPILL PREVENTION CONTROL AND COUNTERMEASURES (SPCC) PLAN**

### **A. MATERIALS COVERED**

The following materials or substances with known hazardous properties are expected to be present onsite during construction:

|                              |                          |
|------------------------------|--------------------------|
| Concrete                     | Cleaning solvents        |
| Detergents                   | Petroleum based products |
| Paints                       | Pesticides               |
| Paint solvents               | Acids                    |
| Fertilizers                  | Concrete additives       |
| Soil stabilization additives |                          |

### **B. MATERIAL MANAGEMENT PRACTICES**

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff.

#### **1. Good Housekeeping**

The following good housekeeping practices will be followed onsite during the construction project.

- a) An effort will be made to store only enough product required to do the job.
- b) All materials stored onsite will be stored in a neat, orderly manner and, if possible, under a roof or other enclosure.
- c) Products will be kept in their original containers with the original manufacturer's label in legible condition.
- d) Substances will not be mixed with one another unless recommended by the manufacturer.
- e) Whenever possible, all of a product will be used up before disposing of the container.
- f) Manufacturer's recommendations for proper use and disposal will be followed.
- g) The job site superintendent will be responsible for daily inspections to ensure proper use and disposal of materials.

#### **2. Hazardous Products**

These practices will be used to reduce the risks associated with hazardous materials.

- a) Products will be kept in original containers with the original labels in legible condition.
- b) Original labels and material safety data sheets (MSDS's) will be procured and used for each material.
- c) If surplus product must be disposed of, manufacturer's or local/state/federal recommended methods for proper disposal will be followed.
- d) A spill control and containment kit (containing, for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.

- e) All of the product in a container will be used before the container is disposed of. All such containers will be triple-rinsed with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with stormwater discharges.

### 3. Product Specific Practices

The following product specific practices will be followed on the job site.

#### a) Petroleum Products

All onsite vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any petroleum storage tanks used onsite will have a dike or berm containment structure constructed around it to contain any spills that may occur. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.

#### b) Fertilizers

Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure to stormwater. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

#### c) Paints, Paint Solvents, and Cleaning Solvents

All containers will be tightly sealed and stored when not in use. Excess paint and solvents will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and federal regulations.

#### d) Concrete Trucks

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in either (1) specifically designated diked areas which have been prepared to prevent contact between the concrete and/or washout and stormwater which will be discharged from the site or (2) in locations where waste concrete can be poured into forms to make riprap or other useful concrete products.

The hardened residue from the concrete washout diked areas will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used on site as deemed appropriate by the CONTRACTOR. The job site superintendent will be responsible for seeing that these procedures are followed.

### 4. Spill Prevention Practices

In addition to the good housekeeping and material management practices discussed in the previous sections of this plan, the following practices will be followed for spill prevention and cleanup.

- a) Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.
- b) Materials and equipment necessary for spill cleanup will be kept in the material storage area onsite in spill control and containment kit (containing, for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.).

- c) All spills will be cleaned up immediately after discovery.
- d) The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with the hazardous substances.
- e) Spills of toxic or hazardous materials will be reported to the appropriate federal, state, and/or local government agency, regardless of the size of the spill. Spills of amounts that exceed Reportable Quantities of certain substances specifically mentioned in federal regulations (40 CFR 302 list and oil) will be immediately reported to the EPA National Response Center, telephone 1-800-424-8802. Reportable Quantities of some substances which may be used at the job site are as follows:
  - oil - appearance of a film or sheen on water
  - pesticides - usually 1 lb.
  - acids - 5000 lb.
  - solvents, flammable - 100 lb.
- f) The SPCC plan will be adjusted to include measures to prevent this type of spill from recurring and how to clean up the spill if there is another one. A description of the spill, what caused it, and the cleanup measures will also be included. If the spill exceeds a Reportable Quantity, all federal regulations regarding reports of the incident will be complied with.
- g) The job site superintendent will be the spill prevention and cleanup coordinator. He will designate the individuals who will receive spill prevention and cleanup training. These individuals will each become responsible for a particular phase of prevention and cleanup. The names of these personnel will be posted in the material storage area and in the office trailer onsite.

#### **VIII. CONTROL OF ALLOWABLE NON-STORMWATER DISCHARGES**

- A. Certain types of discharges are allowable under the NYS Department of Environmental Conservation SPDES General Permit for Construction Activity, and it is the intent of this SWPPP to allow such discharges. These types of discharges will be allowed under the conditions that no pollutants will be allowed to come in contact with the water prior to or after its discharge. The control measures, which have been outlined previously in this SWPPP, will be strictly followed to ensure that no contamination of these non-stormwater discharges takes place. The following allowable non-stormwater discharges that may occur from the job site include:
  - a) Discharges from fire fighting activities
  - b) Fire hydrant flushings (see note below)
  - c) Waters used to wash vehicles or control dust in order to minimize offsite sediment tracking
  - d) Potable water sources such as waterline flushings (see note below), irrigation drainage from watering vegetation, routine exterior building washdown (without detergents present) (See Note below)
  - e) Pavement washwaters where spills or leaks of hazardous materials have not occurred or detergents have not been used
  - f) Springs and other uncontaminated groundwater, including dewatering ground water infiltration

- g) Foundation or footing drains where no contamination with process materials such as solvents is present

NOTE: CONTRACTOR shall neutralize any super-chlorinated water from water distribution pipes before releasing it into the environment. Neutralization techniques are available from the Operator's Engineer.

## **IX. CERTIFICATION AND NOTIFICATION**

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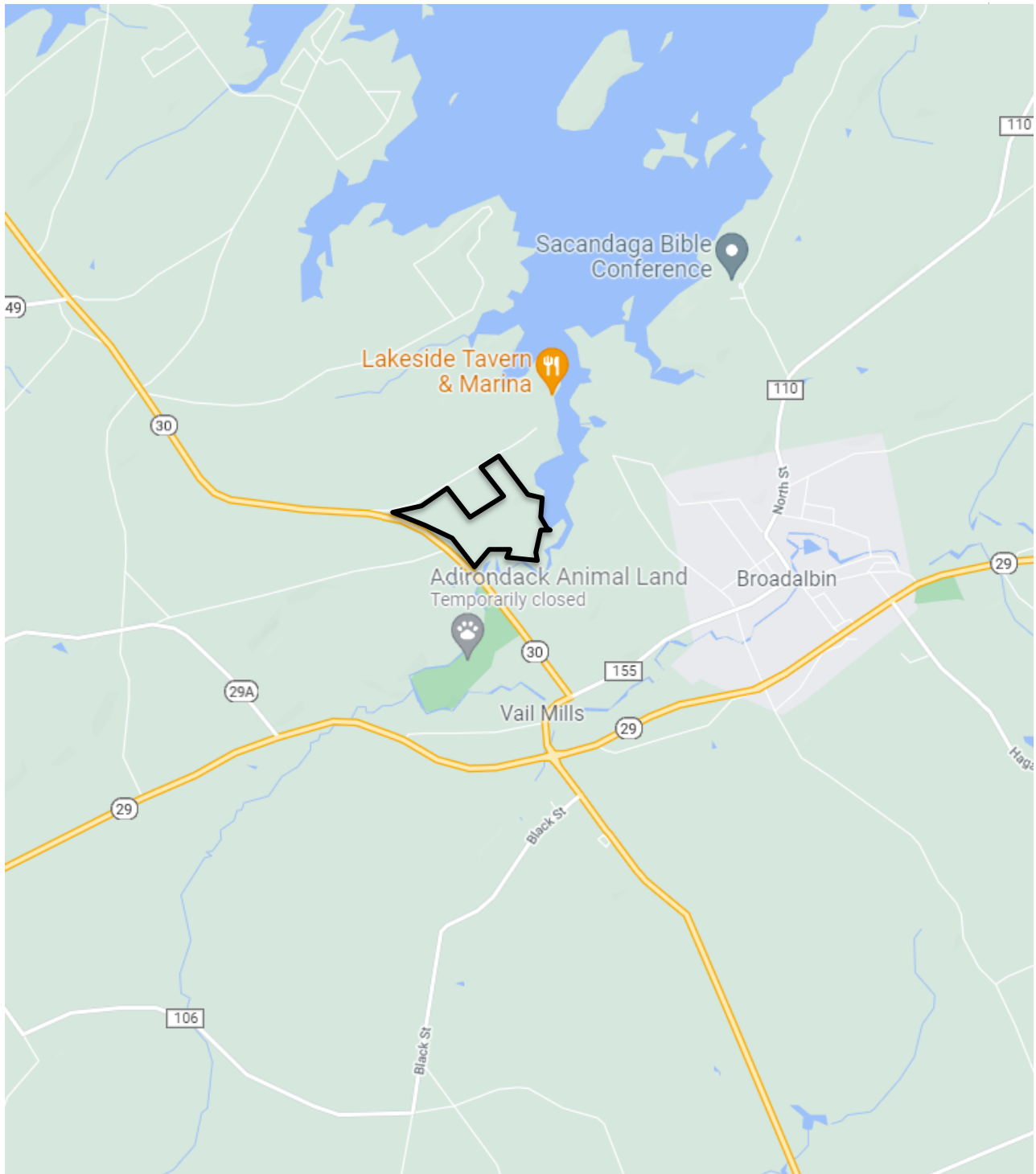
- A. The NYS Department of Environmental Conservation requires that certifications of knowledge of the contents of this SWPPP and agreement to follow the SWPPP be made by the NOI Permittee and the CONTRACTOR. The terms of the General Permit also require that each CONTRACTOR sign the SWPPP plan, (Form 3) thereby making them co-permittees and acknowledging their responsibility for certain operational aspects of the plan. These certifications should be signed before the CONTRACTOR begins activities and should be filed with the site's SWPPP at the jobsite. These certifications are provided within this document, see Table of Contents for location.



## **SECTION 2**

### **Erosion and Sedimentation Control Plan Site Map and General Location Map**





**Figure 1: Site Location**





## **SECTION 3**

**Federal, State or Local Notice of Intent (NOI)**

**NYSDEC NOI Acknowledgement Letter**



# NOI for coverage under Stormwater General Permit for Construction Activity

version 1.35

(Submission #: HPC-82ZJ-1P0EX, version 1)

## Details

---

**Submission Alias** Woods Hollow Campground  
**Submitted** 8/17/2022 (0 days ago) by Brandon Ferguson  
**Alternate Identifier** Woods Hollow Campground  
**Submission ID** HPC-82ZJ-1P0EX  
**Submission Reason** New  
**Status** Submitted  
**Active Steps** Under Review , Under Review

## Form Input

---

### Owner/Operator Information

**Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)**

Woods Hollow Mining Co.

**Owner/Operator Contact Person Last Name (NOT CONSULTANT)**

Winney

**Owner/Operator Contact Person First Name**

Lane

**Owner/Operator Mailing Address**

128 Jamie Lane

**City**

Broadablin

**State**

NY

**Zip**

12025

**Phone**

518-774-7626

**Email**

sandmanon30@yahoo.com

**Federal Tax ID**

NONE PROVIDED

### Project Location

**Project/Site Name**

Woods Hollow Campground

**Street Address (Not P.O. Box)**

3425 Woods Hollow Road

**Side of Street**

South

**City/Town/Village (THAT ISSUES BUILDING PERMIT)**

Mayfield

**State**

NY

**Zip**

12117

**DEC Region**

5

**County**

FULTON

**Name of Nearest Cross Street**

NYS Route 30

**Distance to Nearest Cross Street (Feet)**

0

**Project In Relation to Cross Street**

East

**Tax Map Numbers Section-Block-Parcel**

137.-4-51, 52

**Tax Map Numbers**

137.-4-54.11, 55, 56

**1. Coordinates**

---

Provide the Geographic Coordinates for the project site. The two methods are:

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.
- The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates.

**Navigate to your location and click on the map to get the X,Y coordinates**

43.06262063587855,-74.22315738332254

**Project Details****2. What is the nature of this project?**

New Construction

**3. Select the predominant land use for both pre and post development conditions.****Pre-Development Existing Landuse**

Forest

**Post-Development Future Land Use**

Other: campground

**3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.**

NONE PROVIDED

---

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area.

\*\*\* ROUND TO THE NEAREST TENTH OF AN ACRE. \*\*\*

**Total Site Area (acres)**

83.4

**Total Area to be Disturbed (acres)**

61

**Existing Impervious Area to be Disturbed (acres)**

0

**Future Impervious Area Within Disturbed Area (acres)**

20.4

**5. Do you plan to disturb more than 5 acres of soil at any one time?**

Yes

---

**6. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.**

**A (%)**

100

**B (%)**

0

**C (%)**

0

**D (%)**

0

**7. Is this a phased project?**

No

**8. Enter the planned start and end dates of the disturbance activities.**

**Start Date**

01/02/2023

**End Date**

10/01/2025

**9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.**

Great Sacandaga Lake or offsite wetlands

**9a. Type of waterbody identified in question 9?**

Lake Off Site

Wetland/State Jurisdiction Off Site

**Other Waterbody Type Off Site Description**

NONE PROVIDED

**9b. If "wetland" was selected in 9A, how was the wetland identified?**

Delineated by Consultant

**10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?**

No

**11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?**

No

**12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?**

No

**If No, skip question 13.**

**13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as D (provided the map unit name is inclusive of slopes greater than 25%), E or F on the USDA Soil Survey?**

NONE PROVIDED

**If Yes, what is the acreage to be disturbed?**

NONE PROVIDED

**14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?**

Yes

**15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?**

No

**16. What is the name of the municipality/entity that owns the separate storm sewer system?**

NONE PROVIDED

**17. Does any runoff from the site enter a sewer classified as a Combined Sewer?**

No

**18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?**

No

**19. Is this property owned by a state authority, state agency, federal government or local government?**

No

**20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)**

No

## **Required SWPPP Components**

**21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?**

Yes

**22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?**

Yes

**If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.**

**23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?**

Yes

**24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:**

Professional Engineer (P.E.)

### **SWPPP Preparer**

Environmental Design Partnership, LLP

### **Contact Name (Last, Space, First)**

Ferguson, Brandon

### **Mailing Address**

900 Route 146

### **City**

Clifton Park

**State**

NY

**Zip**

12065

**Phone**

5183717621

**Email**

bferguson@edpllp.com

**Download SWPPP Preparer Certification Form**

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form
- 3) Scan the signed form
- 4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)**Please upload the SWPPP Preparer Certification**

NONE PROVIDED

**Comment**

NONE PROVIDED

**Erosion & Sediment Control Criteria****25. Has a construction sequence schedule for the planned management practices been prepared?**

Yes

**26. Select all of the erosion and sediment control practices that will be employed on the project site:****Temporary Structural**

Silt Fence

Sediment Traps

Stabilized Construction Entrance

Construction Road Stabilization

Dust Control

**Biotechnical**

None

**Vegetative Measures**

Seeding

Grassed Waterway

Mulching

Protecting Vegetation

Topsoiling

**Permanent Structural**

Rock Outlet Protection

Land Grading

Lined Waterway (Rock)

**Other**

NONE PROVIDED

**Post-Construction Criteria****\* IMPORTANT: Completion of Questions 27-39 is not required if response to Question 22 is No.**



**27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.**

Reduction of Clearing and Grading  
Preservation of Buffers

**27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).**

All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).

**28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)**

2.16

**29. Post-construction SMP Identification**

Use the Post-construction SMP Identification section to identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity that were used to reduce the Total WQv Required (#28).

Identify the SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use the Post-Construction SMP Identification section to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

**30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)**

2.16

**31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28)?**

Yes

If Yes, go to question 36. If No, go to question 32.

**32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)**

NONE PROVIDED

**32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?**

NONE PROVIDED

**If Yes, go to question 33.**

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**33. SMPs**

Use the Post-construction SMP Identification section to identify the Standard SMPs and, if applicable, the Alternative SMPs to be used to treat the remaining total WQv (=Total WQv Required in #28 - Total RRv Provided in #30).

Also, provide the total impervious area that contributes runoff to each practice selected.

NOTE: Use the Post-construction SMP Identification section to identify the SMPs used on Redevelopment projects.

**33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)**

NONE PROVIDED

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - provided by the practice. (See Table 3.5 in Design Manual)

**34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).**

NONE PROVIDED

**35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?**

NONE PROVIDED

If Yes, go to question 36.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**36. Provide the total Channel Protection Storage Volume (CPv required and provided or select waiver (#36a), if applicable.**

**CPv Required (acre-feet)**

0.17

**CPv Provided (acre-feet)**

2.16

**36a. The need to provide channel protection has been waived because:**

NONE PROVIDED

**37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (#37a), if applicable.**

**Overbank Flood Control Criteria (Qp)**

**Pre-Development (CFS)**

0.04

**Post-Development (CFS)**

0.00

**Total Extreme Flood Control Criteria (Qf)**

**Pre-Development (CFS)**

3.67

**Post-Development (CFS)**

0.21

**37a. The need to meet the Qp and Qf criteria has been waived because:**

NONE PROVIDED

**38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?**

Yes

**If Yes, Identify the entity responsible for the long term Operation and Maintenance**

Woods Hollow Mining Co.

**39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.**

The total disturbance is listed as 61 acres however this is a maximum as the areas for the campsites will be only cleared and disturbed as necessary to establish the camping areas or RV pads and the natural wooded area will remain as much as possible between the camping areas.

## **Post-Construction SMP Identification**

**Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs**

Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

**RR Techniques (Area Reduction)**

---

Round to the nearest tenth

**Total Contributing Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**RR Techniques (Volume Reduction)**

---

**Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Vegetated Swale (RR-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Garden (RR-6)**

NONE PROVIDED

**Total Contributing Impervious Acres for Stormwater Planter (RR-7)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)**

NONE PROVIDED

**Total Contributing Impervious Acres for Porous Pavement (RR-9)**

NONE PROVIDED

**Total Contributing Impervious Acres for Green Roof (RR-10)**

NONE PROVIDED

**Standard SMPs with RRv Capacity**

---

**Total Contributing Impervious Acres for Infiltration Trench (I-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Infiltration Basin (I-2)**

20.4

**Total Contributing Impervious Acres for Dry Well (I-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Underground Infiltration System (I-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Bioretention (F-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Dry Swale (O-1)**

NONE PROVIDED

## Standard SMPs

---

**Total Contributing Impervious Acres for Micropool Extended Detention (P-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Wet Pond (P-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Wet Extended Detention (P-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Multiple Pond System (P-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Pond (P-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Surface Sand Filter (F-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Underground Sand Filter (F-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Organic Filter (F-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Shallow Wetland (W-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Extended Detention Wetland (W-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Pond/Wetland System (W-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Wetland (W-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Wet Swale (O-2)**

NONE PROVIDED

**Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)**

---

**Total Contributing Impervious Area for Hydrodynamic**

NONE PROVIDED

**Total Contributing Impervious Area for Wet Vault**

NONE PROVIDED

**Total Contributing Impervious Area for Media Filter**

NONE PROVIDED

**"Other" Alternative SMP?**

NONE PROVIDED

**Total Contributing Impervious Area for "Other"**

NONE PROVIDED

**Provide the name and manufacturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.**

**Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide**

**SMPs used, total WQv required and total WQv provided for the project.**

**Manufacturer of Alternative SMP**

NONE PROVIDED

**Name of Alternative SMP**

NONE PROVIDED

**Other Permits**

**40. Identify other DEC permits, existing and new, that are required for this project/facility.**

Mined Land Reclamation

Navigable Waters Protection/Article 15

**If SPDES Multi-Sector GP, then give permit ID**

NONE PROVIDED

**If Other, then identify**

Mining Permit ID 5-1730-00016/00002

**41. Does this project require a US Army Corps of Engineers Wetland Permit?**

No

**If "Yes," then indicate Size of Impact, in acres, to the nearest tenth**

NONE PROVIDED

**42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.**

NONE PROVIDED

**MS4 SWPPP Acceptance**

**43. Is this project subject to the requirements of a regulated, traditional land use control MS4?**

No

**If No, skip question 44**

**44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?**

NONE PROVIDED

**MS4 SWPPP Acceptance Form Download**

Download form from the link below. Complete, sign, and upload.

[MS4 SWPPP Acceptance Form](#)

**MS4 Acceptance Form Upload**

NONE PROVIDED

**Comment**

NONE PROVIDED

**Owner/Operator Certification**

**Owner/Operator Certification Form Download**

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.

[Owner/Operator Certification Form \(PDF, 45KB\)](#)

**Upload Owner/Operator Certification Form**

[2022-8-14 Owner-Operator form SIGNED.pdf - 08/17/2022 10:40 AM](#)

**Comment**

NONE PROVIDED

**Attachments**

---

| Date               | Attachment Name                          | Context    | User             |
|--------------------|--|------------|------------------|
| 8/17/2022 10:40 AM | 2022-8-14 Owner-Operator form SIGNED.pdf | Attachment | Brandon Ferguson |

## Status History

---

|                       | User             | Processing Status |
|-----------------------|------------------|-------------------|
| 10/5/2021 11:50:45 AM | Brandon Ferguson | Draft             |
| 8/17/2022 10:46:13 AM | Brandon Ferguson | Submitting        |
| 8/17/2022 10:46:18 AM | Brandon Ferguson | Submitted         |

## Processing Steps

---

| Step Name      | Assigned To/Completed By | Date Completed        |
|----------------|--------------------------|-----------------------|
| Form Submitted | Brandon Ferguson         | 8/17/2022 10:46:18 AM |
| Under Review   | DAVID GASPER             |                       |
| Under Review   | Daniel von Schilgen      |                       |

## **SECTION 4**

### **Federal, State or Local NPDES General Permit**







Department of  
Environmental  
Conservation

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT  
FOR STORMWATER DISCHARGES

From

**CONSTRUCTION ACTIVITY**

Permit No. GP- 0-20-001

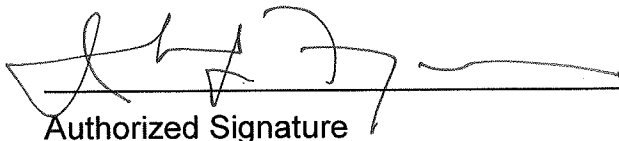
Issued Pursuant to Article 17, Titles 7, 8 and Article 70  
of the Environmental Conservation Law

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator



Authorized Signature

1-23-20

Date

Address: NYS DEC  
Division of Environmental Permits  
625 Broadway, 4th Floor  
Albany, N.Y. 12233-1750



## PREFACE

Pursuant to Section 402 of the Clean Water Act (“CWA”), stormwater *discharges* from certain *construction activities* are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System (“NPDES”)* permit or by a state permit program. New York administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7, 8 and Article 70.

An *owner or operator* of a *construction activity* that is eligible for coverage under this permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of “*construction activity*”, as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a *point source* and therefore, pursuant to ECL section 17-0505 and 17-0701, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. The *owner or operator* cannot wait until there is an actual *discharge* from the *construction site* to obtain permit coverage.

**\*Note: The italicized words/phrases within this permit are defined in Appendix A.**

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM  
CONSTRUCTION ACTIVITIES**

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## Part 1. PERMIT COVERAGE AND LIMITATIONS

### A. Permit Application

This permit authorizes stormwater *discharges to surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants to surface waters of the State*.
3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

### B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharges* authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize the discharge of pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the *Stormwater Pollution Prevention Plan* (“SWPPP”) the reason(s) for the

deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

- a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:
- (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*;
  - (ii) Control stormwater *discharges*, including both peak flowrates and total stormwater volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points;
  - (iii) *Minimize* the amount of soil exposed during *construction activity*;
  - (iv) *Minimize* the disturbance of *steep slopes*;
  - (v) *Minimize* sediment *discharges* from the site;
  - (vi) Provide and maintain *natural buffers* around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharges*, unless *infeasible*;
  - (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;
  - (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and
  - (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.
- b. **Soil Stabilization.** In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments

listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

- c. **Dewatering.** *Discharges* from *dewatering* activities, including *discharges* from *dewatering* of trenches and excavations, must be managed by appropriate control measures.
  
- d. **Pollution Prevention Measures.** Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:
  - (i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;
  
  - (ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and
  
  - (iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.
  
- e. **Prohibited Discharges.** The following *discharges* are prohibited:
  - (i) Wastewater from washout of concrete;
  
  - (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;



- (iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;
  - (iv) Soaps or solvents used in vehicle and equipment washing; and
  - (v) Toxic or hazardous substances from a spill or other release.
- f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

### **C. Post-construction Stormwater Management Practice Requirements**

1. The *owner or operator of a construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the *performance criteria* in the New York State Stormwater Management Design Manual (“Design Manual”), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices (“SMPs”) are not designed in conformance with the *performance criteria* in the Design Manual, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.
2. The *owner or operator of a construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

#### **a. Sizing Criteria for New Development**

- (i) Runoff Reduction Volume (“RRv”): Reduce the total Water Quality Volume (“WQv”) by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.

For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

**In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual.**

The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (“Cpv”): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site discharges directly to tidal waters, or fifth order or larger streams.
  
- (iv) *Overbank* Flood Control Criteria (“Qp”): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.
  
- (v) Extreme Flood Control Criteria (“Qf”): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.

**b. Sizing Criteria for New Development in Enhanced Phosphorus Removal Watershed**

- (i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be

calculated in accordance with the criteria in Section 10.3 of the Design Manual.

- (ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

**In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual.** The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site *discharges* directly to tidal waters, or fifth order or larger streams.
- (iv) *Overbank* Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.
- (v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.

### c. Sizing Criteria for Redevelopment Activity

- (i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.
- (1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
  - (2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or
  - (3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
  - (4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

- (ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.
- (iii) *Overbank* Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.
- (iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site

**d. Sizing Criteria for Combination of Redevelopment Activity and New Development**

Construction projects that include both New Development and Redevelopment Activity shall provide post-construction stormwater management controls that meet the sizing criteria calculated as an aggregate of the Sizing Criteria in Part I.C.2.a. or b. of this permit for the New Development portion of the project and Part I.C.2.c of this permit for Redevelopment Activity portion of the project.

**D. Maintaining Water Quality**

The Department expects that compliance with the conditions of this permit will control *discharges* necessary to meet applicable *water quality standards*. It shall be a violation of the *ECL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater *discharges* authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of *water quality standards*, or if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

## **E. Eligibility Under This General Permit**

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.
2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharges*; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.
3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: “Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned”; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated *discharges* from *construction site* de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.
4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

## **F. Activities Which Are Ineligible for Coverage Under This General Permit**

All of the following are **not** authorized by this permit:

1. *Discharges* after *construction activities* have been completed and the site has undergone *final stabilization*;
2. *Discharges* that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an *endangered or threatened species* unless the *owner or*

*operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.D.2 of this permit;

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;
6. *Construction activities* for residential, commercial and institutional projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - b. Which are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture (“USDA”) Soil Survey as Soil Slope Phase “D”, (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase “E” or “F” (regardless of the map unit name), or a combination of the three designations.
7. *Construction activities* for linear transportation projects and linear utility projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - b. Which are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase “D” (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase “E” or “F” (regardless of the map unit name), or a combination of the three designations.

8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:
- a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the *construction site* within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the *construction site* within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.
    - 1-5 acres of disturbance - 20 feet
    - 5-20 acres of disturbance - 50 feet
    - 20+ acres of disturbance - 100 feet, or
  - b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
    - (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
    - (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
    - (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
    - (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or
  - c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:



- (i) No Affect
- (ii) No Adverse Affect
- (iii) Executed Memorandum of Agreement, or

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.
9. *Discharges from construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

## Part II. PERMIT COVERAGE

### A. How to Obtain Coverage

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.
2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the “MS4 SWPPP Acceptance” form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.
3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4* . This exemption does not apply to *construction activities* subject to the New York City Administrative Code.

## B. Notice of Intent (NOI) Submittal

1. Prior to December 21, 2020, an owner or operator shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (<http://www.dec.ny.gov/>). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address:

**NOTICE OF INTENT  
NYS DEC, Bureau of Water Permits  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3505**

2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.
3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.
4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

## C. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.
2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:
  - a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (<http://www.dec.ny.gov/>) for more information,
  - b. where required, all necessary Department permits subject to the *Uniform Procedures Act ("UPA")* (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators of construction activities* that are required to obtain *UPA* permits

must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

- c. the final SWPPP has been prepared, and
  - d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.
3. An *owner or operator* that has satisfied the requirements of Part II.C.2 above will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:
- a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:
    - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or
    - (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;
    - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

- b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:
  - (i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed “MS4 SWPPP Acceptance” form, or
  - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed “MS4 SWPPP Acceptance” form.
4. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.C. of this permit.

#### **D. General Requirements For Owners or Operators With Permit Coverage**

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination (“NOT”) has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.
2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-20-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor’s or subcontractor’s certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the *construction site* until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
3. The *owner or operator of a construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land*

*use control MS4, the regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

- a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
  - b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
  - c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
  - d. The *owner or operator* shall install any additional site-specific practices needed to protect water quality.
  - e. The *owner or operator* shall include the requirements above in their SWPPP.
4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K..
  5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
  6. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the

*regulated, traditional land use control MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice.

#### **E. Permit Coverage for Discharges Authorized Under GP-0-15-002**

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-15-002), an *owner or operator* of a *construction activity* with coverage under GP-0-15-002, as of the effective date of GP- 0-20-001, shall be authorized to *discharge* in accordance with GP- 0-20-001, unless otherwise notified by the Department.

An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-20-001.

#### **F. Change of Owner or Operator**

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4*, the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.
2. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.B.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.
3. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or*

*operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

### Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

#### A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.
2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.
3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.
4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP, including construction drawings:
  - a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;

- b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge* of *pollutants*;
  - c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, the Department or other regulatory authority; and
  - d. to document the final construction conditions.
5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.
6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor*. The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with



the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the *construction site*. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

## **B. Required SWPPP Contents**

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
  - a. Background information about the scope of the project, including the location, type and size of project

- b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge(s)*;
- c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
- d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;
- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;

- j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;
  - k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the *construction site*; and
  - l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.
2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

The post-construction stormwater management practice component of the SWPPP shall include the following:

- a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
  - (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
  - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
  - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
  - (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;
  - (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and
  - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
- e. Infiltration test results, when required; and
- f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria*, Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

### **C. Required SWPPP Components by Project Type**

Unless otherwise notified by the Department, *owners or operators of construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of this permit. *Owners or operators of the construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

## **Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS**

### **A. General Construction Site Inspection and Maintenance Requirements**

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.
2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

### **B. Contractor Maintenance Inspection Requirements**

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall

begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.
3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

### C. Qualified Inspector Inspection Requirements

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
  - Certified Professional in Erosion and Sediment Control (CPESC),
  - New York State Erosion and Sediment Control Certificate Program holder
  - Registered Landscape Architect, or
  - someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].
1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:
    - a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located

in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

- b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;
  - c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
  - d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.
2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:
- a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.
  - b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
  - c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.

- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization*, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “*Final Stabilization*” and “*Post-Construction Stormwater Management Practice*” certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.B.1 of this permit.
  - e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site*, and all points of *discharge* from the *construction site*.
  4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:



- a. Date and time of inspection;
- b. Name and title of person(s) performing inspection;
- c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
- d. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This shall include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
- e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;
- f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
- g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
- h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;
- i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
- j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);
- k. Identification and status of all corrective actions that were required by previous inspection; and

- I. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

## **Part V. TERMINATION OF PERMIT COVERAGE**

### **A. Termination of Permit Coverage**

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.
2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:
  - a. Total project completion - All *construction activity* identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

- b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;
      - c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. of this permit.
      - d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.
3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the “*Final Stabilization*” and “*Post-Construction Stormwater Management Practice certification statements*” on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.
4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the “*MS4 Acceptance*” statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector’s* final site inspection certification(s) required in Part V.A.3. of this permit.
5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:
  - a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

- b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),
- c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,
- d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

## **Part VI. REPORTING AND RETENTION RECORDS**

### **A. Record Retention**

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

### **B. Addresses**

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.B.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

## **Part VII. STANDARD PERMIT CONDITIONS**

### **A. Duty to Comply**

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water

Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

#### **B. Continuation of the Expired General Permit**

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

#### **C. Enforcement**

Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

#### **D. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

### **E. Duty to Mitigate**

The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

### **F. Duty to Provide Information**

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

### **G. Other Information**

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

### **H. Signatory Requirements**

1. All NOIs and NOTs shall be signed as follows:
  - a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

- (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    - (ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or
  - c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
    - (i) the chief executive officer of the agency, or
    - (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,

superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) and,

- c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.
3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.
4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person.

It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

#### **I. Property Rights**

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

#### **J. Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

#### **K. Requirement to Obtain Coverage Under an Alternative Permit**

1. The Department may require any owner or operator authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall



include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the owner or operator to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from owner or operator receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to *discharge* under a general SPDES permit for the same *discharge(s)*, the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

#### **L. Proper Operation and Maintenance**

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

#### **M. Inspection and Entry**

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a *construction site* which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the owner's or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

#### **N. Permit Actions**

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

#### **O. Definitions**

Definitions of key terms are included in Appendix A of this permit.

#### **P. Re-Opener Clause**

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

#### **Q. Penalties for Falsification of Forms and Reports**

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

**R. Other Permits**

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

## **APPENDIX A – Acronyms and Definitions**

### **Acronyms**

APO – Agency Preservation Officer

BMP – Best Management Practice

CPESC – Certified Professional in Erosion and Sediment Control

Cpv – Channel Protection Volume

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

DOW – Division of Water

EAF – Environmental Assessment Form

ECL - Environmental Conservation Law

EPA – U. S. Environmental Protection Agency

HSG – Hydrologic Soil Group

MS4 – Municipal Separate Storm Sewer System

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

OPRHP – Office of Parks, Recreation and Historic Places

Qf – Extreme Flood

Qp – Overbank Flood

RRv – Runoff Reduction Volume

RWE – Regional Water Engineer

SEQR – State Environmental Quality Review

SEQRA - State Environmental Quality Review Act

SHPA – State Historic Preservation Act

SPDES – State Pollutant Discharge Elimination System

SWPPP – Stormwater Pollution Prevention Plan

TMDL – Total Maximum Daily Load

UPA – Uniform Procedures Act

USDA – United States Department of Agriculture

WQv – Water Quality Volume

## Definitions

All definitions in this section are solely for the purposes of this permit.

**Agricultural Building** – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

**Agricultural Property** – means the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State” prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

**Alter Hydrology from Pre to Post-Development Conditions** - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

**Combined Sewer** - means a sewer that is designed to collect and convey both “sewage” and “stormwater”.

**Commence (Commencement of) Construction Activities** - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for “*Construction Activity(ies)*” also.

**Construction Activity(ies)** - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

**Construction Site** – means the land area where *construction activity(ies)* will occur. See definition for “*Commence (Commencement of) Construction Activities*” and “*Larger Common Plan of Development or Sale*” also.

**Dewatering** – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

**Direct Discharge (to a specific surface waterbody)** - means that runoff flows from a *construction site* by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system

and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

**Discharge(s)** - means any addition of any pollutant to waters of the State through an outlet or *point source*.

**Embankment** –means an earthen or rock slope that supports a road/highway.

**Endangered or Threatened Species** – see 6 NYCRR Part 182 of the Department’s rules and regulations for definition of terms and requirements.

**Environmental Conservation Law (ECL)** - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

**Equivalent (Equivalence)** – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

**Final Stabilization** - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

**General SPDES permit** - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

**Groundwater(s)** - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

**Historic Property** – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

**Impervious Area (Cover)** - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

**Infeasible** – means not technologically possible, or not economically practicable and achievable in light of best industry practices.

**Larger Common Plan of Development or Sale** - means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term “plan” in “larger common plan of development or sale” is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

**Minimize** – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

**Municipal Separate Storm Sewer (MS4)** - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a *combined sewer*, and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

**National Pollutant Discharge Elimination System (NPDES)** - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

**Natural Buffer** –means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

**New Development** – means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

**New York State Erosion and Sediment Control Certificate Program** – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

**NOI Acknowledgment Letter** - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from *construction activity*.

**Nonpoint Source** - means any source of water pollution or pollutants which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

**Overbank** –means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

**Owner or Operator** - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

**Performance Criteria** – means the design criteria listed under the “Required Elements” sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf ) in Part I.C.2. of the permit.

**Point Source** - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be discharged.

**Pollutant** - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq .



**Qualified Inspector** - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

**Qualified Professional** - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

**Redevelopment Activity(ies)** – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

**Regulated, Traditional Land Use Control MS4** - means a city, town or village with land use control authority that is authorized to discharge under New York State DEC's

SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

**Routine Maintenance Activity** - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or *embankment*,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

**Site limitations** – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

**Sizing Criteria** – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank Flood* (Qp), and *Extreme Flood* (Qf).

**State Pollutant Discharge Elimination System (SPDES)** - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

**Steep Slope** – means land area designated on the current United States Department of Agriculture (“USDA”) Soil Survey as Soil Slope Phase “D”, (provided the map unit name is inclusive of slopes greater than 25%) , or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

**Streambank** – as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

**Stormwater Pollution Prevention Plan (SWPPP)** – means a project specific report, including construction drawings, that among other things: describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*; describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

**Surface Waters of the State** - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

**Temporarily Ceased** – means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

**Temporary Stabilization** - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

**Total Maximum Daily Loads (TMDLs)** - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and *nonpoint sources*. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for *point source* discharges, load allocations (LAs) for *nonpoint sources*, and a margin of safety (MOS).

**Trained Contractor** - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed

training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

**Uniform Procedures Act (UPA) Permit** - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

**Water Quality Standard** - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

## APPENDIX B – Required SWPPP Components by Project Type

**Table 1**  
**Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls**

|  |
|--|
| <p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:</b></p> <ul style="list-style-type: none"><li>• Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not directly discharging</u> to one of the 303(d) segments listed in Appendix E</li><li>• Single family residential subdivisions with 25% or less impervious cover at total site build-out and <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E</li><li>• Construction of a barn or other <i>agricultural building</i>, silo, stock yard or pen.</li></ul>   |
| <p><b>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</b></p> <p>All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.</p>   |
| <p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land:</b></p> <ul style="list-style-type: none"><li>• Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains</li><li>• Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects</li><li>• Pond construction</li><li>• Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover</li><li>• Cross-country ski trails and walking/hiking trails</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.</li><li>• Slope stabilization projects</li><li>• Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics</li></ul> |

**Table 1 (Continued) CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS**

**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) excluding projects that *alter hydrology from pre to post development* conditions,
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State”, excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete

**Table 2**  
**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES**  
**POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES**

**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family home that disturbs five (5) or more acres of land
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Breweries, cideries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surface
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1

Table 2 (Continued)

**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES**

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

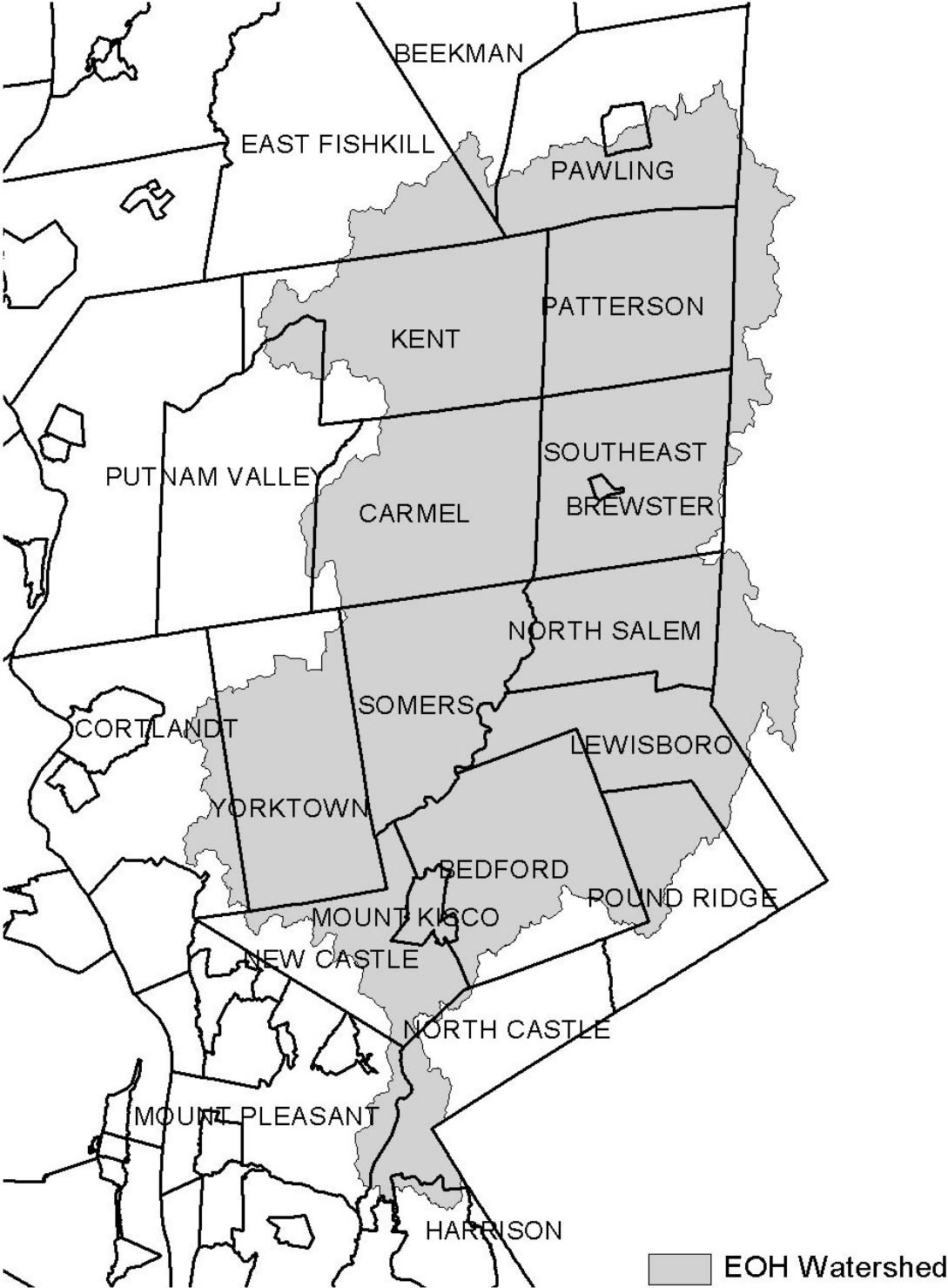


## APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

**Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual (“Design Manual”).**

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5

**Figure 1 - New York City Watershed East of the Hudson**



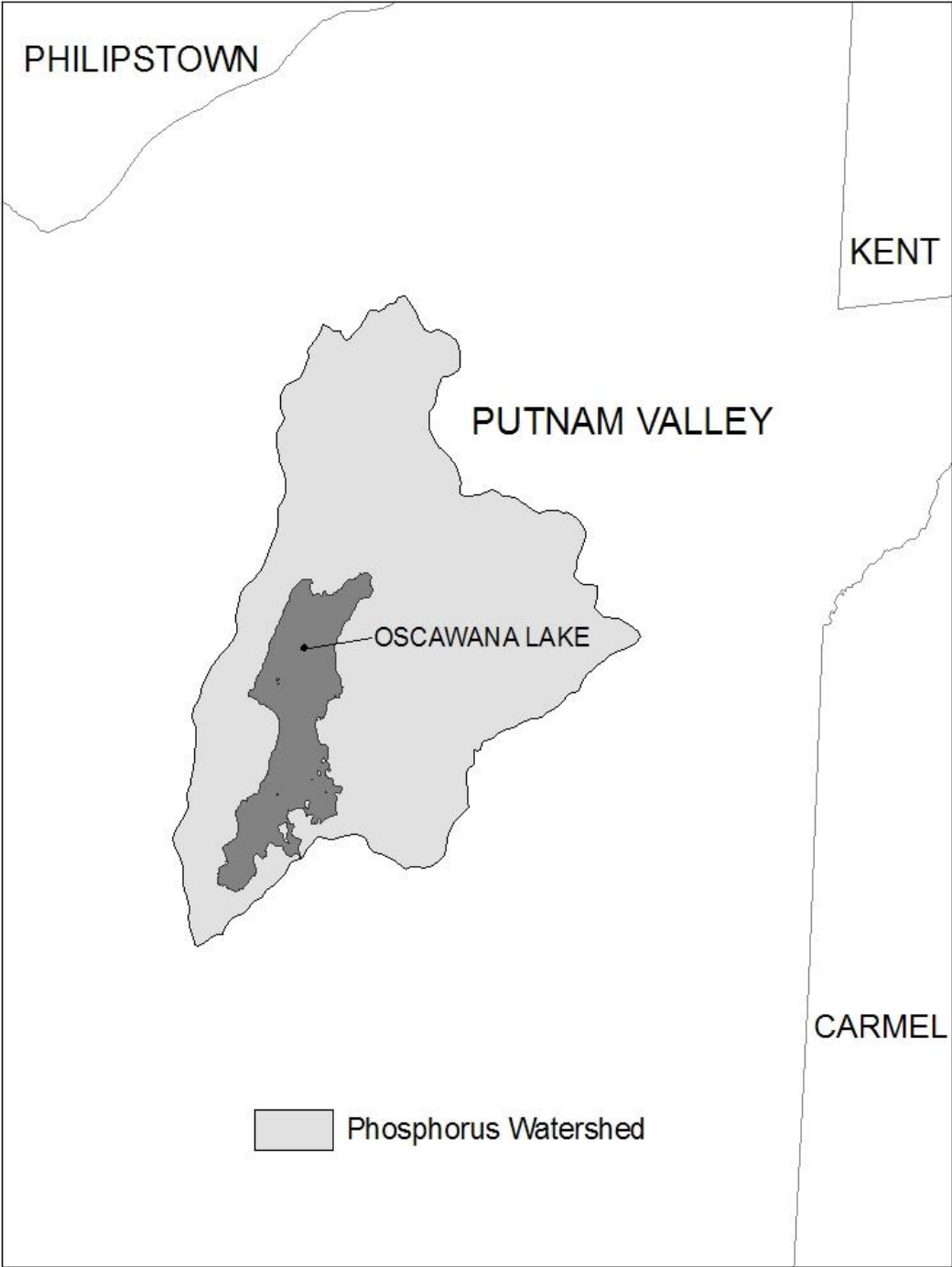
**Figure 2 - Onondaga Lake Watershed**



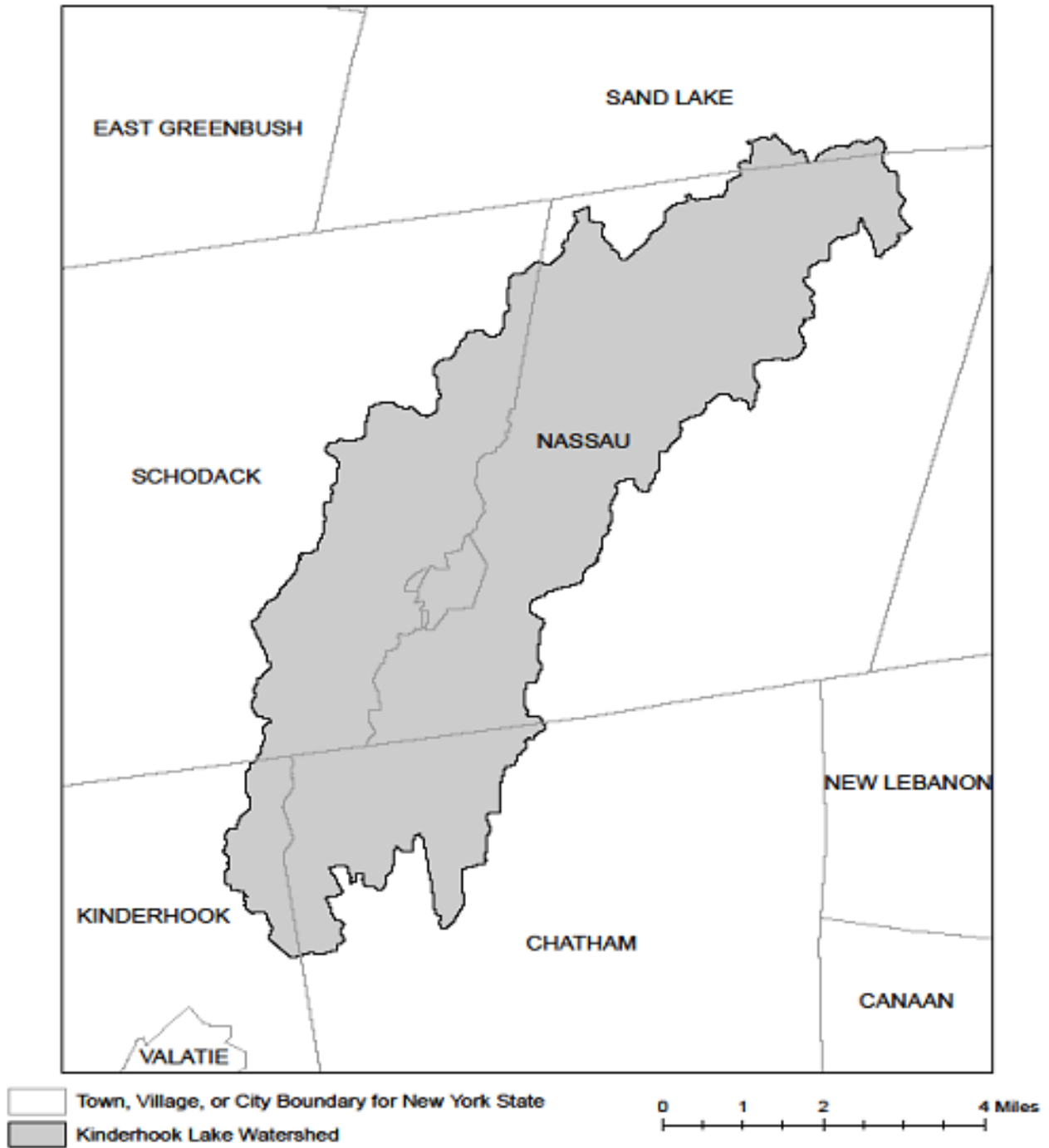
**Figure 3 - Greenwood Lake Watershed**



**Figure 4 - Oscawana Lake Watershed**



**Figure 5 - Kinderhook Lake Watershed**



## APPENDIX D – Watersheds with Lower Disturbance Threshold

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

## APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

| COUNTY      | WATERBODY                                | POLLUTANT     |
|-------------|--|---------------|
| Albany      | Ann Lee (Shakers) Pond, Stump Pond       | Nutrients     |
| Albany      | Basic Creek Reservoir                    | Nutrients     |
| Allegany    | Amity Lake, Saunders Pond                | Nutrients     |
| Bronx       | Long Island Sound, Bronx                 | Nutrients     |
| Bronx       | Van Cortlandt Lake                       | Nutrients     |
| Broome      | Fly Pond, Deer Lake, Sky Lake            | Nutrients     |
| Broome      | Minor Tribs to Lower Susquehanna (north) | Nutrients     |
| Broome      | Whitney Point Lake/Reservoir             | Nutrients     |
| Cattaraugus | Allegheny River/Reservoir                | Nutrients     |
| Cattaraugus | Beaver (Alma) Lake                       | Nutrients     |
| Cattaraugus | Case Lake                                | Nutrients     |
| Cattaraugus | Linlyco/Club Pond                        | Nutrients     |
| Cayuga      | Duck Lake                                | Nutrients     |
| Cayuga      | Little Sodus Bay                         | Nutrients     |
| Chautauqua  | Bear Lake                                | Nutrients     |
| Chautauqua  | Chadakoin River and tribs                | Nutrients     |
| Chautauqua  | Chautauqua Lake, North                   | Nutrients     |
| Chautauqua  | Chautauqua Lake, South                   | Nutrients     |
| Chautauqua  | Findley Lake                             | Nutrients     |
| Chautauqua  | Hulburt/Clymer Pond                      | Nutrients     |
| Clinton     | Great Chazy River, Lower, Main Stem      | Silt/Sediment |
| Clinton     | Lake Champlain, Main Lake, Middle        | Nutrients     |
| Clinton     | Lake Champlain, Main Lake, North         | Nutrients     |
| Columbia    | Kinderhook Lake                          | Nutrients     |
| Columbia    | Robinson Pond                            | Nutrients     |
| Cortland    | Dean Pond                                | Nutrients     |



### 303(d) Segments Impaired by Construction Related Pollutant(s)

|            |   |               |
|------------|---|---------------|
| Dutchess   | Fall Kill and tribs                     | Nutrients     |
| Dutchess   | Hillside Lake                           | Nutrients     |
| Dutchess   | Wappingers Lake                         | Nutrients     |
| Dutchess   | Wappingers Lake                         | Silt/Sediment |
| Erie       | Beeman Creek and tribs                  | Nutrients     |
| Erie       | Ellicott Creek, Lower, and tribs        | Silt/Sediment |
| Erie       | Ellicott Creek, Lower, and tribs        | Nutrients     |
| Erie       | Green Lake                              | Nutrients     |
| Erie       | Little Sister Creek, Lower, and tribs   | Nutrients     |
| Erie       | Murder Creek, Lower, and tribs          | Nutrients     |
| Erie       | Rush Creek and tribs                    | Nutrients     |
| Erie       | Scajaquada Creek, Lower, and tribs      | Nutrients     |
| Erie       | Scajaquada Creek, Middle, and tribs     | Nutrients     |
| Erie       | Scajaquada Creek, Upper, and tribs      | Nutrients     |
| Erie       | South Branch Smoke Cr, Lower, and tribs | Silt/Sediment |
| Erie       | South Branch Smoke Cr, Lower, and tribs | Nutrients     |
| Essex      | Lake Champlain, Main Lake, South        | Nutrients     |
| Essex      | Lake Champlain, South Lake              | Nutrients     |
| Essex      | Willsboro Bay                           | Nutrients     |
| Genesee    | Bigelow Creek and tribs                 | Nutrients     |
| Genesee    | Black Creek, Middle, and minor tribs    | Nutrients     |
| Genesee    | Black Creek, Upper, and minor tribs     | Nutrients     |
| Genesee    | Bowen Brook and tribs                   | Nutrients     |
| Genesee    | LeRoy Reservoir                         | Nutrients     |
| Genesee    | Oak Orchard Cr, Upper, and tribs        | Nutrients     |
| Genesee    | Tonawanda Creek, Middle, Main Stem      | Nutrients     |
| Greene     | Schoharie Reservoir                     | Silt/Sediment |
| Greene     | Sleepy Hollow Lake                      | Silt/Sediment |
| Herkimer   | Steele Creek tribs                      | Silt/Sediment |
| Herkimer   | Steele Creek tribs                      | Nutrients     |
| Jefferson  | Moon Lake                               | Nutrients     |
| Kings      | Hendrix Creek                           | Nutrients     |
| Kings      | Prospect Park Lake                      | Nutrients     |
| Lewis      | Mill Creek/South Branch, and tribs      | Nutrients     |
| Livingston | Christie Creek and tribs                | Nutrients     |
| Livingston | Conesus Lake                            | Nutrients     |
| Livingston | Mill Creek and minor tribs              | Silt/Sediment |
| Monroe     | Black Creek, Lower, and minor tribs     | Nutrients     |
| Monroe     | Buck Pond                               | Nutrients     |
| Monroe     | Cranberry Pond                          | Nutrients     |

### 303(d) Segments Impaired by Construction Related Pollutant(s)

|          |  |               |
|----------|--|---------------|
| Monroe   | Lake Ontario Shoreline, Western          | Nutrients     |
| Monroe   | Long Pond                                | Nutrients     |
| Monroe   | Mill Creek and tribs                     | Nutrients     |
| Monroe   | Mill Creek/Blue Pond Outlet and tribs    | Nutrients     |
| Monroe   | Minor Tribs to Irondequoit Bay           | Nutrients     |
| Monroe   | Rochester Embayment - East               | Nutrients     |
| Monroe   | Rochester Embayment - West               | Nutrients     |
| Monroe   | Shipbuilders Creek and tribs             | Nutrients     |
| Monroe   | Thomas Creek/White Brook and tribs       | Nutrients     |
| Nassau   | Beaver Lake                              | Nutrients     |
| Nassau   | Camaans Pond                             | Nutrients     |
| Nassau   | East Meadow Brook, Upper, and tribs      | Silt/Sediment |
| Nassau   | East Rockaway Channel                    | Nutrients     |
| Nassau   | Grant Park Pond                          | Nutrients     |
| Nassau   | Hempstead Bay                            | Nutrients     |
| Nassau   | Hempstead Lake                           | Nutrients     |
| Nassau   | Hewlett Bay                              | Nutrients     |
| Nassau   | Hog Island Channel                       | Nutrients     |
| Nassau   | Long Island Sound, Nassau County Waters  | Nutrients     |
| Nassau   | Massapequa Creek and tribs               | Nutrients     |
| Nassau   | Milburn/Parsonage Creeks, Upp, and tribs | Nutrients     |
| Nassau   | Reynolds Channel, west                   | Nutrients     |
| Nassau   | Tidal Tribs to Hempstead Bay             | Nutrients     |
| Nassau   | Tribs (fresh) to East Bay                | Nutrients     |
| Nassau   | Tribs (fresh) to East Bay                | Silt/Sediment |
| Nassau   | Tribs to Smith/Halls Ponds               | Nutrients     |
| Nassau   | Woodmere Channel                         | Nutrients     |
| New York | Harlem Meer                              | Nutrients     |
| New York | The Lake in Central Park                 | Nutrients     |
| Niagara  | Bergholtz Creek and tribs                | Nutrients     |
| Niagara  | Hyde Park Lake                           | Nutrients     |
| Niagara  | Lake Ontario Shoreline, Western          | Nutrients     |
| Niagara  | Lake Ontario Shoreline, Western          | Nutrients     |
| Oneida   | Ballou, Nail Creeks and tribs            | Nutrients     |
| Onondaga | Harbor Brook, Lower, and tribs           | Nutrients     |
| Onondaga | Ley Creek and tribs                      | Nutrients     |
| Onondaga | Minor Tribs to Onondaga Lake             | Nutrients     |
| Onondaga | Ninemile Creek, Lower, and tribs         | Nutrients     |
| Onondaga | Onondaga Creek, Lower, and tribs         | Nutrients     |
| Onondaga | Onondaga Creek, Middle, and tribs        | Nutrients     |

### 303(d) Segments Impaired by Construction Related Pollutant(s)

|            |  |               |
|------------|--|---------------|
| Onondaga   | Onondaga Lake, northern end              | Nutrients     |
| Onondaga   | Onondaga Lake, southern end              | Nutrients     |
| Ontario    | Great Brook and minor tribs              | Silt/Sediment |
| Ontario    | Great Brook and minor tribs              | Nutrients     |
| Ontario    | Hemlock Lake Outlet and minor tribs      | Nutrients     |
| Ontario    | Honeoye Lake                             | Nutrients     |
| Orange     | Greenwood Lake                           | Nutrients     |
| Orange     | Monhagen Brook and tribs                 | Nutrients     |
| Orange     | Orange Lake                              | Nutrients     |
| Orleans    | Lake Ontario Shoreline, Western          | Nutrients     |
| Orleans    | Lake Ontario Shoreline, Western          | Nutrients     |
| Oswego     | Lake Neatahwanta                         | Nutrients     |
| Oswego     | Pleasant Lake                            | Nutrients     |
| Putnam     | Bog Brook Reservoir                      | Nutrients     |
| Putnam     | Boyd Corners Reservoir                   | Nutrients     |
| Putnam     | Croton Falls Reservoir                   | Nutrients     |
| Putnam     | Diverting Reservoir                      | Nutrients     |
| Putnam     | East Branch Reservoir                    | Nutrients     |
| Putnam     | Lake Carmel                              | Nutrients     |
| Putnam     | Middle Branch Reservoir                  | Nutrients     |
| Putnam     | Oscawana Lake                            | Nutrients     |
| Putnam     | Palmer Lake                              | Nutrients     |
| Putnam     | West Branch Reservoir                    | Nutrients     |
| Queens     | Bergen Basin                             | Nutrients     |
| Queens     | Flushing Creek/Bay                       | Nutrients     |
| Queens     | Jamaica Bay, Eastern, and tribs (Queens) | Nutrients     |
| Queens     | Kissena Lake                             | Nutrients     |
| Queens     | Meadow Lake                              | Nutrients     |
| Queens     | Willow Lake                              | Nutrients     |
| Rensselaer | Nassau Lake                              | Nutrients     |
| Rensselaer | Snyders Lake                             | Nutrients     |
| Richmond   | Grasmere Lake/Bradys Pond                | Nutrients     |
| Rockland   | Congers Lake, Swartout Lake              | Nutrients     |
| Rockland   | Rockland Lake                            | Nutrients     |
| Saratoga   | Ballston Lake                            | Nutrients     |
| Saratoga   | Dwaas Kill and tribs                     | Silt/Sediment |
| Saratoga   | Dwaas Kill and tribs                     | Nutrients     |
| Saratoga   | Lake Lonely                              | Nutrients     |
| Saratoga   | Round Lake                               | Nutrients     |
| Saratoga   | Tribs to Lake Lonely                     | Nutrients     |

### 303(d) Segments Impaired by Construction Related Pollutant(s)

|             |   |               |
|-------------|---|---------------|
| Schenectady | Collins Lake                            | Nutrients     |
| Schenectady | Duane Lake                              | Nutrients     |
| Schenectady | Mariaville Lake                         | Nutrients     |
| Schoharie   | Engleville Pond                         | Nutrients     |
| Schoharie   | Summit Lake                             | Nutrients     |
| Seneca      | Reeder Creek and tribs                  | Nutrients     |
| St.Lawrence | Black Lake Outlet/Black Lake            | Nutrients     |
| St.Lawrence | Fish Creek and minor tribs              | Nutrients     |
| Steuben     | Smith Pond                              | Nutrients     |
| Suffolk     | Agawam Lake                             | Nutrients     |
| Suffolk     | Big/Little Fresh Ponds                  | Nutrients     |
| Suffolk     | Canaan Lake                             | Silt/Sediment |
| Suffolk     | Canaan Lake                             | Nutrients     |
| Suffolk     | Flanders Bay, West/Lower Sawmill Creek  | Nutrients     |
| Suffolk     | Fresh Pond                              | Nutrients     |
| Suffolk     | Great South Bay, East                   | Nutrients     |
| Suffolk     | Great South Bay, Middle                 | Nutrients     |
| Suffolk     | Great South Bay, West                   | Nutrients     |
| Suffolk     | Lake Ronkonkoma                         | Nutrients     |
| Suffolk     | Long Island Sound, Suffolk County, West | Nutrients     |
| Suffolk     | Mattituck (Marratooka) Pond             | Nutrients     |
| Suffolk     | Meetinghouse/Terrys Creeks and tribs    | Nutrients     |
| Suffolk     | Mill and Seven Ponds                    | Nutrients     |
| Suffolk     | Millers Pond                            | Nutrients     |
| Suffolk     | Moriches Bay, East                      | Nutrients     |
| Suffolk     | Moriches Bay, West                      | Nutrients     |
| Suffolk     | Peconic River, Lower, and tidal tribs   | Nutrients     |
| Suffolk     | Quantuck Bay                            | Nutrients     |
| Suffolk     | Shinnecock Bay and Inlet                | Nutrients     |
| Suffolk     | Tidal tribs to West Moriches Bay        | Nutrients     |
| Sullivan    | Bodine, Montgomery Lakes                | Nutrients     |
| Sullivan    | Davies Lake                             | Nutrients     |
| Sullivan    | Evens Lake                              | Nutrients     |
| Sullivan    | Pleasure Lake                           | Nutrients     |
| Tompkins    | Cayuga Lake, Southern End               | Nutrients     |
| Tompkins    | Cayuga Lake, Southern End               | Silt/Sediment |
| Tompkins    | Owasco Inlet, Upper, and tribs          | Nutrients     |
| Ulster      | Ashokan Reservoir                       | Silt/Sediment |
| Ulster      | Esopus Creek, Upper, and minor tribs    | Silt/Sediment |
| Warren      | Hague Brook and tribs                   | Silt/Sediment |

### 303(d) Segments Impaired by Construction Related Pollutant(s)

|             |  |               |
|-------------|--|---------------|
| Warren      | Huddle/Finkle Brooks and tribs           | Silt/Sediment |
| Warren      | Indian Brook and tribs                   | Silt/Sediment |
| Warren      | Lake George                              | Silt/Sediment |
| Warren      | Tribs to L.George, Village of L George   | Silt/Sediment |
| Washington  | Cossayuna Lake                           | Nutrients     |
| Washington  | Lake Champlain, South Bay                | Nutrients     |
| Washington  | Tribs to L.George, East Shore            | Silt/Sediment |
| Washington  | Wood Cr/Champlain Canal and minor tribs  | Nutrients     |
| Wayne       | Port Bay                                 | Nutrients     |
| Westchester | Amawalk Reservoir                        | Nutrients     |
| Westchester | Blind Brook, Upper, and tribs            | Silt/Sediment |
| Westchester | Cross River Reservoir                    | Nutrients     |
| Westchester | Lake Katonah                             | Nutrients     |
| Westchester | Lake Lincolndale                         | Nutrients     |
| Westchester | Lake Meahagh                             | Nutrients     |
| Westchester | Lake Mohegan                             | Nutrients     |
| Westchester | Lake Shenorock                           | Nutrients     |
| Westchester | Long Island Sound, Westchester (East)    | Nutrients     |
| Westchester | Mamaroneck River, Lower                  | Silt/Sediment |
| Westchester | Mamaroneck River, Upper, and minor tribs | Silt/Sediment |
| Westchester | Muscoot/Upper New Croton Reservoir       | Nutrients     |
| Westchester | New Croton Reservoir                     | Nutrients     |
| Westchester | Peach Lake                               | Nutrients     |
| Westchester | Reservoir No.1 (Lake Isle)               | Nutrients     |
| Westchester | Saw Mill River, Lower, and tribs         | Nutrients     |
| Westchester | Saw Mill River, Middle, and tribs        | Nutrients     |
| Westchester | Sheldrake River and tribs                | Silt/Sediment |
| Westchester | Sheldrake River and tribs                | Nutrients     |
| Westchester | Silver Lake                              | Nutrients     |
| Westchester | Teatown Lake                             | Nutrients     |
| Westchester | Titicus Reservoir                        | Nutrients     |
| Westchester | Truesdale Lake                           | Nutrients     |
| Westchester | Wallace Pond                             | Nutrients     |
| Wyoming     | Java Lake                                | Nutrients     |
| Wyoming     | Silver Lake                              | Nutrients     |

## APPENDIX F – List of NYS DEC Regional Offices

| <u>Region</u> | <u>COVERING THE FOLLOWING COUNTIES:</u>  | <u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u>                               | <u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u>   |
|---------------|--|--|--|
| 1             | NASSAU AND SUFFOLK   | 50 CIRCLE ROAD<br>STONY BROOK, NY 11790<br>TEL. (631) 444-0365                                     | 50 CIRCLE ROAD<br>STONY BROOK, NY 11790-3409<br>TEL. (631) 444-0405                                |
| 2             | BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND  | 1 HUNTERS POINT PLAZA,<br>47-40 21ST ST.<br>LONG ISLAND CITY, NY 11101-5407<br>TEL. (718) 482-4997 | 1 HUNTERS POINT PLAZA,<br>47-40 21ST ST.<br>LONG ISLAND CITY, NY 11101-5407<br>TEL. (718) 482-4933 |
| 3             | DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER                               | 21 SOUTH PUTT CORNERS ROAD<br>NEW PALTZ, NY 12561-1696<br>TEL. (845) 256-3059                      | 100 HILLSIDE AVENUE, SUITE 1W<br>WHITE PLAINS, NY 10603<br>TEL. (914) 428 - 2505                   |
| 4             | ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE      | 1150 NORTH WESTCOTT ROAD<br>SCHENECTADY, NY 12306-2014<br>TEL. (518) 357-2069                      | 1130 NORTH WESTCOTT ROAD<br>SCHENECTADY, NY 12306-2014<br>TEL. (518) 357-2045                      |
| 5             | CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON                        | 1115 STATE ROUTE 86, Po Box 296<br>RAY BROOK, NY 12977-0296<br>TEL. (518) 897-1234                 | 232 GOLF COURSE ROAD<br>WARRENSBURG, NY 12885-1172 TEL.<br>(518) 623-1200                          |
| 6             | HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE  | STATE OFFICE BUILDING<br>317 WASHINGTON STREET<br>WATERTOWN, NY 13601-3787<br>TEL. (315) 785-2245  | STATE OFFICE BUILDING<br>207 GENESEE STREET<br>UTICA, NY 13501-2885 TEL. (315)<br>793-2554         |
| 7             | BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS                  | 615 ERIE BLVD. WEST<br>SYRACUSE, NY 13204-2400<br>TEL. (315) 426-7438                              | 615 ERIE BLVD. WEST<br>SYRACUSE, NY 13204-2400<br>TEL. (315) 426-7500                              |
| 8             | CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES | 6274 EAST AVON-LIMA<br>ROADAVON, NY 14414-9519<br>TEL. (585) 226-2466                              | 6274 EAST AVON-LIMA RD.<br>AVON, NY 14414-9519<br>TEL. (585) 226-2466                              |
| 9             | ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING                                       | 270 MICHIGAN AVENUE<br>BUFFALO, NY 14203-2999<br>TEL. (716) 851-7165                               | 270 MICHIGAN AVENUE<br>BUFFALO, NY 14203-2999<br>TEL. (716) 851-7070                               |

## **SECTION 5**

### **Certifications, Forms, Reports, and Daily Logs**





STORMWATER POLLUTION PREVENTION PLAN  
NOI PERMITTEE'S CERTIFICATION

FORM 1

**Construction Site**  
**RV PARK – WOODS HOLLOW MINING CO.**  
**Town of MAYFIELD, Fulton County, New York**

STORMWATER POLLUTION PREVENTION PLAN DATED **October 2021**

**NOI PERMITTEE'S CERTIFICATION:**

"I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that false statements made herein are punishable as a class A misdemeanor pursuant to Section 210.45 of the Penal Law."

NOI Permittee's  
Designated Project Manager: \_\_\_\_\_

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_



**STORMWATER POLLUTION PREVENTION PLAN  
CONTRACTOR'S CERTIFICATION LOG**

**FORM 2**

**Construction Site  
RV PARK – WOODS HOLLOW MINING CO.  
Town of MAYFIELD, Fulton County, New York**

|                           |  |
|---------------------------|--|
| <b>Company Name</b>       |  |
|                           |  |
| <b>Address</b>            |  |
|                           |  |
| <b>Contact Name</b>       |  |
| <b>Telephone Number</b>   |  |
| <b>Cell Phone/Pager</b>   |  |
|                           |  |
| <b>Scope of Services</b>  |  |
|                           |  |
| <b>Certification Date</b> |  |

|                           |  |
|---------------------------|--|
| <b>Company Name</b>       |  |
|                           |  |
| <b>Address</b>            |  |
|                           |  |
| <b>Contact Name</b>       |  |
| <b>Telephone Number</b>   |  |
| <b>Cell Phone/Pager</b>   |  |
|                           |  |
| <b>Scope of Services</b>  |  |
|                           |  |
| <b>Certification Date</b> |  |

|                           |  |
|---------------------------|--|
| <b>Company Name</b>       |  |
|                           |  |
| <b>Address</b>            |  |
|                           |  |
| <b>Contact Name</b>       |  |
| <b>Telephone Number</b>   |  |
| <b>Cell Phone/Pager</b>   |  |
|                           |  |
| <b>Scope of Services</b>  |  |
|                           |  |
| <b>Certification Date</b> |  |

Designated Project Manager \_\_\_\_\_



**STORMWATER POLLUTION PREVENTION PLAN  
CONTRACTOR'S/SUBCONTRACTOR'S CERTIFICATION  
FORM 3**

*This form to be completed for each contractor listed on Form 2. Reproduce as needed*

**Construction Site  
RV PARK - WOODS HOLLOW MINING CO.  
Town of MAYFIELD, Fulton County, New York  
CONSTRUCTION POLLUTION PREVENTION PROGRAM  
DATED October 2021**

**CONTRACTOR'S CERTIFICATION:**

“I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System (“SPDES”) general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations.”

The Contractor/Subcontractor further understands that the SWPPP and associated Erosion and Sediment Control Plans represent the **MINIMUM** erosion and sediment control measures that will be required to protect the site during construction. Additional erosion and sediment control measures will be necessary during construction. It will be the responsibility of Contractor/Subcontractor to implement all additional erosion and sediment control measures necessary to protect the site during construction.

**CONTRACTOR:**

**SUBCONTRACTOR:**

Name (Print): \_\_\_\_\_

Name (Print): \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Elements of SWPPP Contractor/Subcontractor responsible for: \_\_\_\_\_

Name of Trained Contractor Responsible for SWPPP Implementation: \_\_\_\_\_

Title of Trained Contractor Responsible for SWPPP Implementation: \_\_\_\_\_



**FORM 4**  
**WOODS HOLLOW MINING CO. – RV PARK - WOODS HOLLOW MINING CO. – WOODS HOLLOW ROAD**

**SWPPP # \_\_\_\_\_**

This form to be completed by Contractor's designated inspector at least weekly. Reproduce as needed.

**SWPPP INSPECTION REPORTS**

Page 1 of \_\_\_\_\_  
Date \_\_\_\_\_

**Weather and Soil Conditions**

Weather Conditions: \_\_\_\_\_

Soil Conditions: Dry  Wet  Saturated  Snow Covered  Frozen

**Maintaining Water Quality**

**Yes No NA**

- Is there an increase in turbidity causing a substantial visible contrast to natural conditions?
- Is there residue from oil and floating substances, visible oil film, or globules or grease?
- All disturbance is within the limits of the approved plans.
- Have receiving lake/bay, stream, and/or wetland been impacted by silt from project?

**Housekeeping**

**1. General Site Conditions**

**Yes No NA**

- Is construction site litter and debris appropriately managed?
- Are facilities and equipment necessary for implementation of erosion and sediment control in working order and/or properly maintained?
- Is construction impacting the adjacent property?
- Is dust adequately controlled?

**2. Temporary Stream Crossing**

**Yes No NA**

- Maximum diameter pipes necessary to span creek without dredging are installed.
- Installed non-woven geotextile fabric beneath approaches.
- Is fill composed of aggregate (no earth or soil)?
- Rock on approaches is clean enough to remove mud from vehicles and prevent sediment from entering stream during high flow.

**Runoff Control Practices**

**1. Excavation Dewatering**

**Yes No NA**

- Upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per plan.
- Clean water from upstream pool is being pumped to the downstream pool.
- Sediment-laden water from work area is being discharged to a silt-trapping device.
- Constructed upstream berm with one-foot minimum freeboard.

**2. Water Bar**

**Yes No NA**

- Installed per plan with vehicle crossings stabilized with gravel.
- Outlet located on undisturbed soil or lined with riprap.
- Bar height is 12-inch minimum from bottom of channel with minimum base width of 6-foot.

**3. Interceptor Dikes and Swales**

**Yes No NA**

- Installed per plan with minimum side slopes 1V:3H or flatter.
- Stabilized by geotextile fabric, seed, or mulch with no erosion occurring.
- Sediment-laden runoff directed to sediment trapping structure.





**FORM 4**  
**WOODS HOLLOW MINING CO. – RV PARK - WOODS HOLLOW MINING CO. – WOODS HOLLOW ROAD**

**SWPPP # \_\_\_\_\_**

This form to be completed by Contractor's designated inspector at least weekly. Reproduce as needed.

**SWPPP INSPECTION REPORT**

Page 2 of \_\_\_\_\_

Date \_\_\_\_\_

**4. Stone Check Dam**

**Yes No NA**

Is channel stable? (flow is not eroding soil underneath or around the structure).

Check is in good condition (rocks in place and no permanent pools behind the structure).

Has accumulated sediment been removed?

**5. Rock Outlet Protection**

**Yes No NA**

Installed per plan.

Installed concurrently with pipe installation.

**Soil Stabilization**

**1. Topsoil and Spoil Stockpiles**

**Yes No NA**

Stockpiles are stabilized with vegetation and/or mulch.

Sediment control is installed at the toe of the slope.

**2. Revegetation**

**Yes No NA**

Temporary seedings and mulch have been applied to idle areas.

Four inches minimum of topsoil has been applied under permanent seedings.

**Sediment Control Practices**

**1. Stabilized Construction Entrance**

**Yes No NA**

Stone is clean enough to effectively remove mud from vehicles.

Installed per standards and specifications?

Does all traffic use the stabilized entrance to enter and leave site?

Is adequate drainage provided to prevent ponding at entrance?

**2. Silt Fence**

**Yes No NA**

Installed on Contour, ten feet from toe of slope (not across conveyance channels).

Joints constructed by wrapping the two ends together for continuous support.

Fabric buried six inches minimum.

Posts are stable, fabric is tight and without rips or frayed areas.

Sediment accumulation is \_\_\_\_\_% of design capacity.

**3. Storm Drain Inlet Protection (Use for Stone & Block; Filter Fabric; Curb; or, Excavated practices)**

**Yes No NA**

Installed concrete blocks lengthwise so open ends face outward, not upward.

Placed wire screen between No. 3 crushed stone and concrete blocks.

Drainage area is one acre or less.

Excavated area is 900 cubic feet.

Excavated side slopes should be 2:1.

2" x 4" frame is constructed and structurally sound.

Posts three-foot maximum spacing between posts.

Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at maximum eight inch spacing.

Posts are stable, fabric is tight and without rips or frayed areas.

Sediment accumulation \_\_\_\_\_% of design capacity.



**FORM 4**  
**WOODS HOLLOW MINING CO. – RV PARK - WOODS HOLLOW MINING CO. – WOODS HOLLOW ROAD**

**SWPPP # \_\_\_\_\_**

This form to be completed by Contractor's designated inspector at least weekly. Reproduce as needed.

**SWPPP INSPECTION REPORT**

Page 3 of \_\_\_\_\_

Date \_\_\_\_\_

**4. Temporary Sediment Trap**

**Yes No NA**

Outlet structure is constructed per the approved plan or drawing.

Geotextile fabric has been placed beneath rock fill.

Sediment accumulation is \_\_\_\_\_% of design capacity.

**5. Temporary Sediment Basin**

**Yes No NA**

Basin and outlet structure constructed per the approved plan.

Basin side slopes are stabilized with seed/mulch.

Drainage structure flushed and basin surface restored upon removal of sediment basin facility.

Sediment accumulation is \_\_\_\_\_% of design capacity.

**Dust Control Practices**

**1. Haul Road and Current Work Areas**

**Yes No NA**

Are all traffic surface areas sufficiently treated to prevent fugitive dust?

Are any areas of site's non-traffic and work area experiencing wind erosion?

Are there any disturbed areas in need of temporary seed and mulch to protect surface from wind erosion?

Is watering truck on-site?

Is dust visible in air at any location of the site?

**Note:** Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site-specific design.

Construction inspection checklists for post-development stormwater management practices can be found in Appendix F of the New York Stormwater Management Design Manual.

Description of condition of runoff at all points of discharge from the construction site. (This shall include identification of discharges of sediment from the construction site. Include discharges from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow.) \_\_\_\_\_

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Description of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection (see Page 5 for Sketch). \_\_\_\_\_

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**STORMWATER POLLUTION PREVENTION PLAN  
RECORD OF STABILIZATION AND CONSTRUCTION ACTIVITIES  
FORM 6**

**Construction Site  
RV PARK - WOODS HOLLOW MINING CO.  
Town of MAYFIELD, Fulton County, New York**

A record of dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be maintained until final site stabilization is achieved and the Notice of Termination is filed. *Reproduce copies of this form as needed.*

**MAJOR GRADING, CONSTRUCTION, OR STABILIZATION ACTIVITIES**

Description of Activity: \_\_\_\_\_

Begin Date: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

End Date: \_\_\_\_\_

Description of Activity: \_\_\_\_\_

Begin Date: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

End Date: \_\_\_\_\_

Description of Activity: \_\_\_\_\_

Begin Date: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

End Date: \_\_\_\_\_

Description of Activity: \_\_\_\_\_

Begin Date: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

End Date: \_\_\_\_\_

Description of Activity: \_\_\_\_\_

Begin Date: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

End Date: \_\_\_\_\_

**Designated Project Manager** \_\_\_\_\_



**STORMWATER POLLUTION PREVENTION PLAN  
RECORD OF TEMPORARY EROSION AND SEDIMENT CONTROL PRACTICES  
FORM 6A**

**Construction Site  
RV PARK - WOODS HOLLOW MINING CO.  
Town of MAYFIELD, Fulton County, New York**

A record of the timing of temporary erosion and sediment control practices to be implemented, including the timing of initial placement and the duration that each practice should remain in place. The record may reflect the actual date of planned installation or the specific construction activity with which it will be associated. The timing of removal may reflect an actual date or the length of time over which the practice will be implemented.

**TEMPORARY EROSION AND SEDIMENT CONTROL PRACTICES**

Description of Practice: \_\_\_\_\_

Date/Timing of Initial Placement: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

Projected Date/Timing of Removal: \_\_\_\_\_

Description of Practice: \_\_\_\_\_

Date/Timing of Initial Placement: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

Projected Date/Timing of Removal: \_\_\_\_\_

Description of Practice: \_\_\_\_\_

Date/Timing of Initial Placement: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

Projected Date/Timing of Removal: \_\_\_\_\_

Description of Practice: \_\_\_\_\_

Date/Timing of Initial Placement: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

Projected Date/Timing of Removal: \_\_\_\_\_

Description of Practice: \_\_\_\_\_

Date/Timing of Initial Placement: Site Contractor: \_\_\_\_\_

Location: \_\_\_\_\_

Projected Date/Timing of Removal: \_\_\_\_\_

**Designated Project Manager** \_\_\_\_\_



YEAR 20\_\_

STORMWATER POLLUTION PREVENTION PLAN  
PROJECT RAINFALL LOG (to be completed by Contractor)

FORM 7

| Month       | Jan | Feb | Mar | Apr | May | June | July | Aug | Sep | Oct | Nov | Dec |
|-------------|-----|-----|-----|-----|-----|------|------|-----|-----|-----|-----|-----|
| Day         |     |     |     |     |     |      |      |     |     |     |     |     |
| 1           |     |     |     |     |     |      |      |     |     |     |     |     |
| 2           |     |     |     |     |     |      |      |     |     |     |     |     |
| 3           |     |     |     |     |     |      |      |     |     |     |     |     |
| 4           |     |     |     |     |     |      |      |     |     |     |     |     |
| 5           |     |     |     |     |     |      |      |     |     |     |     |     |
| 6           |     |     |     |     |     |      |      |     |     |     |     |     |
| 7           |     |     |     |     |     |      |      |     |     |     |     |     |
| 8           |     |     |     |     |     |      |      |     |     |     |     |     |
| 9           |     |     |     |     |     |      |      |     |     |     |     |     |
| 10          |     |     |     |     |     |      |      |     |     |     |     |     |
| 11          |     |     |     |     |     |      |      |     |     |     |     |     |
| 12          |     |     |     |     |     |      |      |     |     |     |     |     |
| 13          |     |     |     |     |     |      |      |     |     |     |     |     |
| 14          |     |     |     |     |     |      |      |     |     |     |     |     |
| 15          |     |     |     |     |     |      |      |     |     |     |     |     |
| 16          |     |     |     |     |     |      |      |     |     |     |     |     |
| 17          |     |     |     |     |     |      |      |     |     |     |     |     |
| 18          |     |     |     |     |     |      |      |     |     |     |     |     |
| 19          |     |     |     |     |     |      |      |     |     |     |     |     |
| 20          |     |     |     |     |     |      |      |     |     |     |     |     |
| 21          |     |     |     |     |     |      |      |     |     |     |     |     |
| 22          |     |     |     |     |     |      |      |     |     |     |     |     |
| 23          |     |     |     |     |     |      |      |     |     |     |     |     |
| 24          |     |     |     |     |     |      |      |     |     |     |     |     |
| 25          |     |     |     |     |     |      |      |     |     |     |     |     |
| 26          |     |     |     |     |     |      |      |     |     |     |     |     |
| 27          |     |     |     |     |     |      |      |     |     |     |     |     |
| 28          |     |     |     |     |     |      |      |     |     |     |     |     |
| 29          |     |     |     |     |     |      |      |     |     |     |     |     |
| 30          |     |     |     |     |     |      |      |     |     |     |     |     |
| 31          |     |     |     |     |     |      |      |     |     |     |     |     |
| PM Initials |     |     |     |     |     |      |      |     |     |     |     |     |

NOI Permittee: WOODS HOLLOW MINING CO.  
RV PARK - WOODS HOLLOW MINING CO.



**STORMWATER POLLUTION PREVENTION PLAN**

**FINAL STABILIZATION CERTIFICATION /NOTICE OF TERMINATION CHECKLIST**

**FORM 8**

*This form is to be completed by Contractor and submitted to Designated Project Manager for approval only after Contractor believes all work regulated by SWPPP is complete.*

**Construction Site**  
**RV PARK - WOODS HOLLOW MINING CO.**  
**Town of MAYFIELD, Fulton County, New York**

1.  All soil disturbing activities are complete.
2.  Temporary Erosion and Sediment Control Measures have been removed or will be removed at the appropriate time.
3.  All areas of the Construction Site not otherwise covered by a permanent pavement or structure have been stabilized with a uniform perennial vegetative cover with a density of 85% or equivalent measures have been employed.

**CONTRACTOR'S CERTIFICATION:**

*"I certify under penalty of law that all storm water discharges associated with industrial activity from the identified project that are authorized by NPDES general permit have been eliminated and that all disturbed areas and soils at the construction site have achieved Final Stabilization and all temporary erosion and sediment control measures have been removed or will be removed at the appropriate time."*

Company Name \_\_\_\_\_

Name (Print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

APPROVED BY DESIGNATED PROJECT MANAGER \_\_\_\_\_ DATE: \_\_\_\_\_





## **SECTION 6**

### **Supplemental Information**

#### **1. Stormwater Management Narrative**





**ENVIRONMENTAL DESIGN  
PARTNERSHIP, LLP.**

Shaping the physical environment

900 New York 146 Clifton Park, NY 12065  
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## **STORMWATER MANAGEMENT NARRATIVE**

**PROPOSED**

**WOODS HOLLOW CAMPGROUND**

**TOWN OF MAYFIELD, NY**

**Prepared by:  
Environmental Design Partnership  
Clifton Park, NY 12065**

**October 2021**



## **1.0 INTRODUCTION**

The Woods Hollow Mining Company is proposing a campground on an existing 83.4-acre parcel of land location within the southeastern quadrant of the NYS Route 30 and the Woods Hollow Road intersection in the Town of Mayfield, New York. The proposed development will consist of 213 RV Sites, 64 tent sites, restrooms, playground, concession area, boat launch and recreational area. The proposed development will result in soil disturbances up to 61 acres and the addition of approximately 20.4 acres of impervious surface

A stormwater management system will be designed to provide reduction in the stormwater runoff rates and volumes in accordance with the NYSDEC Stormwater Management Design Manual. The proposed stormwater management system will include 11 infiltration basins with a total storage volume on the order of 2.16-acre feet.

This narrative presents a review of the design concepts and parameters of the stormwater management system for the proposed development. The purpose of the stormwater management narrative is to assure that changes in the surface runoff characteristics, as a result of the proposed construction, will not adversely impact adjacent or downstream properties. On-site stormwater management will be implemented in accordance with the NYSDEC Stormwater Management Design Manual.

## **2.0 EXISTING SITE CONDITIONS**

The existing site consists of mostly wooded areas with some open field areas and a sand pit location near the lake frontage (on the eastern side of the parcel). The topography of the site in the area of the proposed development ranges from 1% to 50% (in existing mine area) with the site draining to either existing offsite wetland areas or to the Great Sacandaga Lake.

### **2.1 Soil and Groundwater Conditions**

The USDA Natural Resources Conservation Service Soil Survey identifies the two primary soil groups within the area of the proposed development to be Windsor Loamy Sand and Mosherville loam

Windsor Loamy sand series generally consists of deep, excessively drained soils. The Soil Survey identifies this soil series as Hydrologic Soil Group (HSG) "A".

The Mosherville Loam series generally consist of deep poorly drained soils. The Soil Survey identifies this soil series as Hydrologic Soil Group (HSG) "D".

Soil test pits were performed throughout the areas of proposed development by Environmental Design Partnership in June 2021. The soils encountered in these test pits consisted Brown Fine Sands consistent with Hydraulic Soil Group "A" soils. No evidence of seasonal high groundwater was observed on the site at a depth of greater than 48".

### 3.0 PREDEVELOPMENT STORMWATER ANALYSIS

The existing conditions, in the area to be disturbed as a result of the proposed construction, were analyzed using Applied Microcomputer Systems' "Hydrocad" computer modeling program. The HydroCAD stormwater modeling program employs the United States Department of Agriculture's Soil Conservation Service (SCS) Technical Release 20 (TR-20) method for stormwater analysis. Using this modeling technique, the site is divided into "subcatchments" that represent specific areas contributing stormwater runoff to an existing, or proposed drainage feature. The subcatchments typically flow through "reaches" (i.e., swales, channels, or pipes) that convey the stormwater to storm basins or discharge areas.

A HydroCAD model was used to establish the predevelopment runoff characteristics of the site with the results included as Appendix B. The existing site was modeled as 3 subcatchments (Figure 2) and the total predevelopment stormwater discharge was evaluated for several design storms.

Table 1 presents a summary of the predevelopment stormwater peak discharge for the 1 year, 10 year, and 100 year design storm events. As will be discussed in subsequent sections, the post development stormwater discharge rate has been limited to the predevelopment discharge rate for the 1-year, 10-year, and 100-year storm events.

**Table 1: Predevelopment Stormwater Peak Discharge Rate**

| Storm Event      | Total<br>(cfs) |
|------------------|----------------|
| 1-Year (2.21")   | 0.00           |
| 10-Year (3.53")  | 0.04           |
| 100-Year (5.70") | 3.67           |

The existing site consists of grassed fields and wooded areas with soils on site categorized as Hydrologic Soil Group (HSG) "C". The predevelopment Curve Number (CN) was established 71 for filed areas, 70 for the wooded areas and 74 for grassed lawn areas.

### 4.0 STORMWATER MANAGEMENT PLANNING AND PRACTICE SELECTION

The site layout and stormwater design for this project was completed while taking into consideration the potential impacts on the site hydrology. Various measures were taken to help ensure that the post-development hydrology of the site will closely resemble the predevelopment hydrology of the site. These measures included but were not limited to reduction in clearing and grading and soil restoration.

The proposed development utilized the existing topography of the site in order to lay out the proposed roadways and campsite. This will allow the owner to selectively clear the campsites in order to maximize the number of trees that can remain on the site between the camping areas.

Soil restoration has been called for throughout the site in accordance with Chapter 5 of the NYS Stormwater Management Design Manual. The soils on the site are classified as HSG A, therefore aeration and topsoil are needed in areas of cut or fill. In high traffic areas that are to remain pervious, especially around the proposed building and equipment storage areas, the soils shall be fully restored by tilling compost into the sub-soils prior to applying topsoil and vegetating. By applying these methods to the soils on the site the original properties and porosity of the soils will be recovered, which will allow for an improvement in the soil infiltration as well as lawn and landscaping sustainability.

Stormwater management on the site is designed to be infiltration. Infiltration basins are considered a standard SMP with RRv Capacity by the NYSDEC Stormwater Management Design Manual. By using infiltration basins that are located relatively close to the source of runoff the post-development hydrology will more closely match the predevelopment hydrology.

## **5.0 POST REDEVELOPMENT STORMWATER ANALYSIS**

Site improvements to the property will consist of installation of gravel roadway and gravel pads for the RV sites as well as the construction of the accessory buildings. Stormwater management practices have been designed to provide attenuation and infiltration of stormwater runoff from the proposed impervious surfaces on the site. The proposed stormwater management system shall consist of eleven (11) infiltration basins.

### **5.1 Infiltration Basins**

Stormwater Management Areas #1 through #11 have been designed to attenuate and treat runoff from the proposed roadways as well as from the contributing upstream RV sites and buildings. Runoff will sheet flows and be collected in shallow grassed swales and conveyed to the infiltration basins.

The NYSDEC stormwater Management Design Manual allows for infiltration basins to be used for portions of commercial development with greater than 10 acres of contributing area when the soils percolation rate is greater than 5 inches per hour. Stormwater modeling indicates that the basins will be able to attenuate and treat the runoff from storm events up to and including the 100-year design storm event without reaching the emergency overflow elevations. The following Table provides a summary of the infiltration basins.

**Table 2: Infiltration Basin Summary**

| SMA I.D. | Contributing Area (acres) |          | Storage Volume (cf) |        |        |
|----------|---------------------------|----------|---------------------|--------|--------|
|          | Area                      | Imp Area | Forebay             | Basin  | Total  |
| 1        | 9.56                      | 3.22     | 12,947              | 12,140 | 25,087 |
| 2        | 6.24                      | 1.68     | 8,121               | 13,468 | 21,589 |
| 3        | 3.48                      | 1.36     | 6,170               | 3,930  | 10,100 |
| 4        | 7.35                      | 2.48     | 11,990              | 10,030 | 22,020 |
| 5        | 3.47                      | 0.90     | 4,403               | 4,185  | 8,588  |
| 6        | 3.01                      | 0.74     | 4,366               | 2,373  | 6,740  |
| 7        | 2.44                      | 0.44     | 2,531               | 1,018  | 3,549  |
| 8        | 6.53                      | 0.39     | 11,201              | 6,265  | 17,466 |
| 9        | 2.08                      | 0.57     | 0*                  | 2,718  | 2,718  |
| 10       | 1.77                      | 0.36     | 0*                  | 2,160  | 2,160  |
| 11       | 4.44                      | 1.91     | 8,670               | 9,148  | 17,818 |
| 12       | 15.43                     | 4.29     | 20,200              | 20,165 | 40,365 |

\*SMA#9 and #10 do not have forebays. The contributing WQv will be pretreated via sheet flow across the wooded and grassed buffer areas

## 5.2 NYSDEC Stormwater Regulations

The proposed site is required to meet the standards of the NYSDEC Stormwater Management Design Manual (Design Manual). The Design Manual states that the proposed stormwater design must meet the criteria in the following sections for water quality, runoff reduction and water quantity.

### 5.2.1 Water Quality Volume (WQv)

In general, small storm events and the initial runoff from larger storm events are an environmental concern as this stormwater runoff typically contains roadway pollutants and thermal energy stored by the asphalt. In accordance with the NYS Stormwater Management Design Manual, this initial runoff is designated as the Water Quality Volume (WQ<sub>v</sub>) and special attention is given to this volume of runoff to meet water quality objectives.

The NYS Stormwater Management Design Manual identifies several standard practices, such as the micropool extended detention basins that is acceptable for water quality treatment. These acceptable Stormwater Management Practices (SMPs) can capture and treat the full water quality volume (WQ<sub>v</sub>), are capable of 80% TSS removal and 40% TP removal, have acceptable longevity in the field, and have pretreatment mechanism.

The water quality storage volume, WQ<sub>v</sub>, is calculated as follows:



$$WQ_v = \frac{P \cdot R_v \cdot A}{12}$$

where:  $WQ_v$  = water quality volume (acre-feet)

P = 90% rainfall event number

$R_v = 0.05 + 0.009(I)$ , where I is percent impervious cover

A = site area (acres), impervious area used with I = 100%

**Table 3: Required Water Quality Volume**

| SMA I.D. | P   | $R_v$ | A (acres) | Required $WQ_v$ (cf) | Provided $WQ_v$ (cf) |
|----------|-----|-------|-----------|----------------------|----------------------|
| 1        | 1.2 | 0.354 | 9.56      | 14,727               | 25,087               |
| 2        |     | 0.283 | 6.24      | 7,690                | 21,589               |
| 3        |     | 0.401 | 3.48      | 6,084                | 10,100               |
| 4        |     | 0.355 | 7.35      | 11,360               | 22,020               |
| 5        |     | 0.283 | 3.47      | 4,290                | 8,588                |
| 6        |     | 0.271 | 3.01      | 3,552                | 6,740                |
| 7        |     | 0.214 | 2.44      | 2,275                | 3,549                |
| 8        |     | 0.393 | 6.53      | 11,170               | 17,466               |
| 9        |     | 0.297 | 2.08      | 2,690                | 2,718                |
| 10       |     | 0.235 | 1.77      | 1,815                | 2,160                |
| 11       |     | 0.438 | 4.44      | 8,465                | 17,818               |
| 12       |     | 0.300 | 15.43     | 20,180               | 40,365               |

The proposed stormwater system includes the use a sediment forebays. The forebay will allow for the collection of sediment from the contributing runoff prior to entering the main basin. In accordance with the Design Manual the forebays have been sized to handle 100% of the contributing  $WQ_v$ .

### 5.2.2 Runoff Reduction Volume (RRv)

The NYS Stormwater Design Manual specifies that the runoff shall be reduced by 100% of the site  $WQ_v$  using green infrastructure techniques and standard SMPs with RRv capacity. The proposed project area is on the order of 65.8 acres with a total proposed impervious area on the order of 20.4 acres (31%). This results in a total  $WQ_v$  of 94,287 cf. Runoff reduction will be provided via stormwater management practices with runoff reduction capacity. A summary of the calculations for the Runoff Reduction Volume is attached in Appendix A.

The project proposes to infiltrate 100% of the site  $WQ_v$  in the proposed infiltration basins as summarized the in the following table. Infiltration Basins are recognized by NYSDEC as standard stormwater management practices with RRV capacity.

**Table 4:** Runoff Reduction Summary

| Runoff Reduction Technique  | RR <sub>v</sub> (cf) |
|-----------------------------|----------------------|
| Infiltration Basins         | 94,298               |
| <b>Total Site Reduction</b> | <b>94,298</b>        |
| <b>% WQV</b>                | <b>100%</b>          |

### 5.2.3 Channel Protection Volume (CP<sub>v</sub>)

In accordance with the NYS Stormwater Management Design Manual, stream channel protection, designed to protect stream channels from erosion, is accomplished by providing 24-hour extended detention of the one-year, 24-hour storm event. The CP<sub>v</sub> requirement is typically satisfied by providing additional storage above the water quality (WQ<sub>v</sub>) volume.

The one-year storm event was analyzed using the HydroCAD stormwater modeling program (TR-20) under the post development drainage conditions shown on Figure 3. Using a one-year, 24-hour design storm of 2.21 inches the required CP<sub>v</sub> was calculated as presented in Table 5.

**Table 5:** Channel Protection Volume Summary

| SMA I.D. | 1-Year Design Storm (in) | Required CP <sub>v</sub> (ft <sup>3</sup> ) | Proposed Storage Volume (ft <sup>3</sup> ) |
|----------|--------------------------|---|--|
| 1        | 2.21                     | 985   | 25,087                                     |
| 2        |                          | 35  | 21,589                                     |
| 3        |                          | 753   | 10,100                                     |
| 4        |                          | 758   | 22,020                                     |
| 5        |                          | 20  | 8,588                                      |
| 6        |                          | 230   | 6,740                                      |
| 7        |                          | 0   | 3,549                                      |
| 8        |                          | 1,413                                       | 17,466                                     |
| 9        |                          | 33  | 2,718                                      |
| 10       |                          | 0   | 2,160                                      |
| 11       |                          | 1,642                                       | 17,818                                     |
| 12       |                          | 1,591                                       | 40,365                                     |

## 5.2.4 Overbank Flood Control (Qp)

Overbank Flood Control Criteria has been established to limit the frequency and magnitude of out-of-bank flooding generated through changes in runoff characteristics as a result of increased impervious surface area. In accordance with the NYS Stormwater Management Design Manual, providing sufficient storage volume to attenuate the post development 10-year, 24-hour peak discharge rate to the equivalent pre-development discharge rate controls overbank flooding.

The 10-year design storm event was analyzed using the HydroCAD stormwater modeling program (TR-20) under the post-development drainage conditions shown on Figure 3. Using a 10-year, 24-hour design storm of 3.53 inches, the micropool extended detention basins were designed with sufficient storage volume to limit the post-development 10-year, 24-hour peak discharge rate to the pre-development discharge rate. The following table presents the pre- and post-development discharge rates for the offsite discharge. As indicated, the post-development discharge rate is less than the pre-development rate as required.

**Table 6:** Overbank Flow Runoff Summary

| Design Point | Predevelopment Runoff Rate (cfs) | Post-Development Runoff Rate (cfs) |
|--------------|----------------------------------|------------------------------------|
| 1            | 0.00                             | 0.00                               |
| 2            | 0.00                             | 0.00                               |
| 3            | 0.04                             | 0.00                               |
| 4            | 0.00                             | 0.00                               |
| 5            | 0.00                             | 0.00                               |

## 5.2.5 Extreme Flood Control (100-year)

In accordance with the NYS Stormwater Management Design Manual, the stormwater management system must attenuate the post development 100-year, 24-hour peak discharge rate to the predevelopment rate while providing safe passage of this storm event.

The 100-year storm event was analyzed using the HydroCAD stormwater modeling program (TR-20) under the post-development drainage conditions shown in Figure 3. Using a 100-year, 24-hour design storm of 5.70 inches, the micropool extended basins were designed with sufficient storage volume to limit the post-development 100-year, 24-hour peak discharge rate to the predevelopment discharge rate. The following table presents the pre and post-development discharge rates for the offsite discharge. As indicated, the post-development discharge rate is less than the predevelopment rate as required.

**Table 7:** Extreme Flow Runoff Summary

| Design Point | Predevelopment Runoff Rate (cfs) | Post-Development Runoff Rate (cfs) |
|--------------|----------------------------------|------------------------------------|
| 1            | 0.04                             | 0.00                               |
| 2            | 0.20                             | 0.12                               |
| 3            | 2.41                             | 0.09                               |
| 4            | 1.01                             | 0.00                               |
| 5            | 0.01                             | 0.00                               |

## 6.0 SUMMARY

Development of the proposed property will change the stormwater drainage characteristics of the site; impervious area will be added and the site will be re-graded to support the proposed improvements. Changes to the stormwater drainage characteristics of the site have been evaluated in accordance with the NYSDEC Stormwater Management Design Manual. The proposed stormwater management system will comply with the recommendations in these standards related to runoff volume and flow rate reduction.

Through the implementation of acceptable stormwater management practices, recommended by the NYS Stormwater Management Design Manual, the proposed project will not adversely affect adjacent or downstream properties.

Prepared by:



Brandon M. Ferguson, P.E.

**SECTION 7**  
**Completed Inspection Reports**