

Joseph A. Garso, P.E.
Timothy J. Northrup, P.E.



STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

**Fox Hill
Lake Placid, New York**

12 December 2025

The following parties are responsible for this SWPPP, and have signed this document as acknowledgment that they have read, understood, and will implement this SWPPP, including all of its attachments:

Owner / Contractor

Date



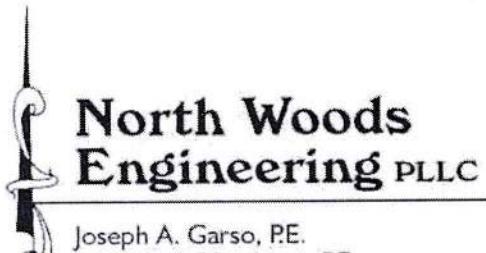
SUPPORTED BY THE NYS ENVIRONMENTAL PROTECTION FUND,
ADIRONDACK PARK COMMUNITY SMART GROWTH PROGRAM



IT IS A VIOLATION OF NEW YORK STATE LAW
FOR ANY PERSON, UNLESS ACTING UNDER THE
SUPERVISION OF A LICENSED PROFESSIONAL
ENGINEER, TO ALTER AN ITEM IN ANY WAY.

348 Lake Street • Saranac Lake, NY 12983

Phone: 518-891-4975 • Facsimile: 518-891-4978 • www.north-woods-engineering.com
NYS Certified Service-Disabled Veteran-Owned Business



North Woods Engineering PLLC

Joseph A. Garso, P.E.
Timothy J. Northrup, P.E.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Fox Hill
Lake Placid, New York

12 December 2025

The following parties are responsible for this SWPPP, and have signed this document as acknowledgment that they have read, understood, and will implement this SWPPP, including all of its attachments:



Owner / Contractor

Date



SUPPORTED BY THE NYS ENVIRONMENTAL PROTECTION FUND,
ADIRONDACK PARK COMMUNITY SMART GROWTH PROGRAM



IT IS A VIOLATION OF NEW YORK STATE LAW
FOR ANY PERSON, UNLESS ACTING UNDER THE
SUPERVISION OF A LICENSED PROFESSIONAL
ENGINEER, TO ALTER AN ITEM IN ANY WAY.

348 Lake Street • Saranac Lake, NY 12983

Phone: 518-891-4975 • Facsimile: 518-891-4978 • www.north-woods-engineering.com
NYS Certified Service-Disabled Veteran-Owned Business

Table of Contents

Section A. Project Introduction	1
A1. Project Description	
A2. Stormwater Management Objectives	
A3. Pre-Development Conditions	
A4. Future Site Conditions	
A5. Responsible Parties and Certification	
Section B. Erosion and Sediment Control	7
B1. Pre-Construction Actions	
B2. Runoff and Drainage Control	
B3. Grading	
B4. Erosion Control	
B5. Sediment Control	
B6. Maintenance and Inspection	
B7. Finish Grading and Landscaping	
B8. Post-Construction Controls	
B9. Winter Stabilization Requirements	
Section C. Construction Waste Management Plan Pollution Prevention Plan	
Construction Spill Prevention and Control Plan	11
C1. Storage and Disposal of Construction Site Wastes	
C2. Material Handling Procedures and Storage Requirements	
C3. Disposal of Hazardous Materials	
C4. Spill Response	
C5. Use of Petroleum Products	
C6. Use of Pesticides	
C7. Use of Fertilizers	
C8. Use of Detergents	
Section D. Stormwater Management Planning	14
D1. Site Planning	
D2. Water Quality and Runoff Reduction Volume	
D3. Volume and Peak Rate Controls	
D4. Final Landscaping	

Section E. Construction Inspections	16
E1. Maintenance Inspection Schedule - Trained Contractor	
E2. Ongoing Inspections during Construction - Qualified Inspector	
E3. Inspection Report Requirements - Qualified Inspector	
E4. Inspections during Temporary Shutdowns	
E5. Inspections for Partial and Final Project Shutdown	

Section F. Project Completion, Closeout, and Operations & Maintenance	20
F1. Termination of Permit Coverage	
F2. Required Records Retention	
F3. Operations and Maintenance	

Appendices

A. Permit Forms

- General Permit GP-0-25-001
- Notice of Intent (eNOI)
- Notice of Termination (eNOT)
- SHPO No Adverse Impact Letter

B. Certification

- SWPPP Preparer Certification Form
- Owner Certification Form
- Contractor Certification Forms

C. Construction Forms

- Construction Sequence Schedule
- Initial Construction Inspection Checklist
- Weekly Construction Inspection Checklist
- Post-Construction Stormwater Controls, Operation and Maintenance Inspection Checklist

D. Soils Information

- USDA Soils Resource Report

E. Winter Stabilization Requirements

F. Project Plans

G. Completed Inspection Checklists

Section A. Project Introduction

A1. Project Description

The project for which this Stormwater Pollution Prevention Plan (SWPPP) is being prepared for is known as “Fox Hill”, proposed by Homestead Development Corporation. The project is located off Algonquin Drive in the Town of North Elba, Essex County, State of New York.

The project involves construction of affordable workforce housing on land which totals approximately 30.89 acres. It is anticipated that 3.9 acres will be disturbed during this project. The project will develop twenty-two single family homes, utilities, roadways, and stormwater management infrastructure.

The land has not been previously developed. The topography of the site is primarily moderately sloped from the southwest to the northeast, with the southwest being higher in elevation. The primary soil group throughout the project area generally consists of very bouldery fine sandy loam of Hydrologic Soil Group A.

The scope of this SWPPP includes the following items:

1. Project Introduction
2. Erosion and Sediment Control
3. Water Quality Control
4. Appendices
5. Project Plans

A2. Stormwater Management Objectives

This project will comply with and seek coverage under the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity, GP 0-25-001 (CGP). The project proposes to disturb greater than one acre of soil, but less than five acres for a single-family residential subdivision with 25% or less impervious cover at total site build-out and is not located in one of the watersheds listed in Appendix C of the CGP and does not directly discharging to one of the 303(d) segments listed in Appendix D of the CGP. In accordance with Appendix B of the CGP, the preparation of a SWPPP that only includes erosion and sediment controls is required.

The developer has elected to include small water quality practices in the project to promote groundwater recharge and pollutant removal.

The stormwater management objectives for this project are to prevent erosion and sediment runoff and to provide water quality treatment.

This SWPPP has been developed to meet the above goals and takes into consideration the specifics of this project; BMPs developed by US Environmental Protection Agency (EPA); and the specifications outlined in the 2024 NYS Stormwater Management Design Manual, and the 2016 NYS Standards for Erosion and Sediment Control.

A3. Pre-Development Conditions

A3a. Natural Drainage Areas

An unnamed stream bisects the project site. The stream flows to Outlook Brook, which is located near the eastern property line of the projects parcel. The project site is within the Ausable River watershed, which eventually flows into Lake Champlain.

A3b. Waterbodies and Wetlands

Wetlands are located on the parcel. The wetlands are under the jurisdiction of the Adirondack Park Agency, NYSDEC and the US Army Corps of Engineers. The only anticipated disturbance to the wetlands is for a proposed stream crossing for the roadway and utilities.

A3c. Critical and Environmentally Sensitive Areas

Based on the NYS Resource Mapper, there are no critical or environmentally sensitive areas in the vicinity of the project.

A3d. Existing Infrastructure

The project site is accessed from Algonquin Drive. The site is primarily wooded.

Sewer, telecommunications, and electric utilities are located along/within Algonquin Drive. Connections will be made to these utilities and extended into the site, and ultimately into each proposed parcel. Potable water bisects the southwest portion of the project area. A connection will be made at the location the existing watermain bisects the proposed project and a new main with service connections to each proposed lot will be extended further into the site.

A3e. Soil Types

The National Cooperative Soil Survey website of the USDA Natural Resources Conservation Services was utilized to research soil information. The majority of the project area is classified as MkC Monadnock fine sandy loam, 8 to 15 percent slopes, very bouldery, hydraulic rating A. Other soil types in the vicinity of the project include:

- Burnt Vly peat, 0 to 1 percent slopes, hyd. rating B/D
- Sunapee fine sandy loam, 3 to 8 percent slopes, very bouldery, hyd. rating B

The majority of the project site appears to be classified as Hydrologic Group (HG) A.

A3f. Historic Property

The NYS Cultural Resource Information System (CRIS) was reviewed. CRIS indicated that no properties listed or determined to be eligible for listing on the National or State Registers of Historic Places are within the vicinity of the project site.

The EAF mapper indicated that the project site, or any portion of it, is located in or adjacent to an area designated as sensitive for archaeological sites by the NY State Historic Preservation Office (SHPO). A finding of No Adverse Impact was provided by NYS Office of Parks, Recreation and Historic Preservation. This correspondence is included in Appendix A.

A4. Future Site Conditions

A4a. Proposed Project Description

The proposed project is for the construction of affordable workforce housing with associated utilities and roads. The project will construct twenty-two single family homes. The development will extend from the southern property line to the northern property line, centrally located between the eastern and western property bounds. A road approximately 1,100 feet in length and 20 ft in width with a hammerhead turnaround will be constructed for access from Algonquin Dr.

There is also water and sewer main extensions along Algonquin Ave and Iroquois Drive, allowing connections to the existing infrastructure and providing utilities to the site.

A4b. Disturbed Areas

The total area disturbed is approximately 3.9 acres. The disturbed area includes the proposed road, utilities trenches, house lots, material storage and staging area, and stormwater features. Disturbed area on the site is estimated to be 3.57 acres. Disturbed areas for the utility connections of site are estimated to be 0.25 acres. These total 3.82 acres. We are estimating a total disturbance of 3.9 acres, which allows 0.08 acres of unforeseen disturbance.

This disturbance is located primarily outside of the wetlands located on the site. Approximately 0.02 acres is disturbed in the wetlands.

A4c. Duration of Activities

The project is expected to start construction in the spring of 2026, permitting dependent, and is anticipated for the site work to be completed in one year.

A4d. Impervious Areas

The impervious areas will consist of the roof area of the homes, driveways, and the roadway. The roadway was calculated to be 27,520 square feet (0.61 acres) of impervious area, the driveways was calculated to be 13,350 square feet (0.31 acres) of impervious area, and the cumulative roof area of all the homes was calculated to be 17,160 square feet (0.39 acres) of impervious area. Approximately 1,000 square feet (0.02 acres) of miscellaneous impervious cover is also anticipated to account for future sheds, or other similar structures.

The cumulative increase of impervious area is 59,030 square feet (1.36 acres). This equates to an increase of 4.4% of impervious area on the pre-subdivided parcel.

A4e. Proposed Infrastructure

The proposed development will be served by public sewer, water, electric, and telecommunication infrastructure; which will be extended from Algonquin Dr.

Municipal water bisects a portion of the property. Lake Placid Department of Public Works has requested that the bisecting line not be connected to due to its age and condition.

A4f. Protected Areas

The area outside the construction zone will be protected from accidental damage or disturbance by delineating it with silt fence or construction fence. These areas will be monitored by the qualified inspector during construction to ensure they are not disturbed.

A4g. Division of Drainage Areas

The project site, after development, will consist of two drainage areas, located to the north and south of the developed area. The north area will drain either to the east or west. The south developed area will either drain to the north or south.

The development areas in general will drain toward grassed lined swales for collection and treatment.

A4h. Pollution Prevention Measures

This SWPPP includes a “Construction Waste Management Plan” and a “Construction Spill Prevention and Control Plan”; both are provided on the project plans and also provided as an attachment for easy posting at the development site. These plans were developed utilizing information from the US EPA’s BMP fact sheets for “Construction Site Stormwater Runoff Control”.

A4i. Plan Requirements

The project proposes to disturb greater than one acre of soil, but less than five acres for a single-family residential subdivision with 25% or less impervious cover at total site build-out and is not located in one of the watersheds listed in Appendix C of the CGP and does not directly

discharging to one of the 303(d) segments listed in Appendix D of the CGP. In accordance with Appendix B of the CGP, the preparation of a SWPPP that only includes erosion and sediment controls is required.

The developer has elected to include water quality practices in the project to promote groundwater recharge and pollutant removal.

Based on the criteria above, a Basic SWPPP has been prepared to meet CGP requirements. All water quality practices designed as a part of this SWPPP meet the required technical design requirements but may not provide treatment volume equal to “Full SWPPP” permit requirements.

A5. Responsible Parties and Certification

A5a. Responsible Parties for Implementation Certification

Prior to the commencement of construction activity, the owner must identify the contractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting, and maintaining the erosion and sediment control features in the SWPPP as well as constructing the post-construction stormwater management practices.

Each contractor that performs earth disturbing activities shall identify at least one person that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. At least one trained contractor shall be on site on a daily basis when the soil disturbance activities are being performed. This person shall have received a minimum of four (4) hours of NYSDEC endorsed training in proper erosion and sediment control. This training shall be kept current through the project duration by receiving four (4) hours of training every three (3) years.

A5b. Certification

Each contractor identified above shall sign a copy of the certification statement, shown below, and found in the Appendix, prior to the commencement of any construction activity.

Certification:

“I hereby certify under penalty of law that I understand and agree to comply with the requirements 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 requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) 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.”

Owner / Contractor

Date

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor 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 certification section must be completely filled out. These completed sections will be attached to the copy of the SWPPP maintained at the construction site. Any new or additional contractors shall also complete the certification and information noted above.

Section B. Erosion and Sediment Control

B1. Pre-Construction Actions

B1a. Resource Protection

Prior to construction, the area to be developed will be delineated, so that it may be roped or fenced off. This will prevent unwanted disturbance beyond the limits indicated, especially for trees to remain, nearby wetlands, or for neighboring properties.

B1b. Surface Water Protection

There are two wetlands located on the property, and Outlook Brook is along the eastern bounds. The construction activities will be more than 250' from Outlook Brook at the closest point. Sediment and erosion control practices will be placed at the toe of slopes at the area of disturbance to prevent impact to the wetlands and stream.

B1c. Construction Entrance Stabilization

All construction vehicles will enter and exit the site through one entrance. A stabilized construction entrance will be installed. The entrance will be inspected weekly by the Qualified Inspector. The inspection report will note when the entrance must be cleaned, new stone added, or if modification is needed. Sediment and other debris that gather along the entrance should be removed on a weekly basis, or more frequently when necessary. The entrance will be maintained, and improved as needed, to ensure it is not eroded, and that material does not enter the public road.

B1d. Perimeter Sediment Controls

Silt fences, or other acceptable controls will be installed as described in the project plans. Silt fences must be installed parallel to the natural slope of the property, and the area below the fence must remain undisturbed.

B2. Runoff and Drainage Control

B2a. Runoff Control

Runoff will be controlled via management practices such as installing control measures prior to land disturbance, utilizing soil roughening techniques, and vegetating after exposure. Details are noted on the project plans.

B2b. Runoff Conveyance System

Runoff conveyance will primarily be conducted by sheet flow on developed areas to the proposed roadside ditches or to grassed lined swales along toe of slopes. These ditches and swales will initially have stone check dams, which will be removed once permanent stabilization is achieved.

B2c. Groundwater Recharge

Ground water recharge can typically occur in areas where lawns are planned, as well as along low sloped grass lined swales. Each lot will have a significant lawn area. These areas will attempt to recharge the groundwater and reduce surface runoff.

A concrete washout station will be constructed. All concrete waste will be deposited into the station. The station will be cleaned when capacity is reached. This station will ensure concrete leachate does not infiltrate into the soil.

B2d. Outlet Stabilization

Discharges from the proposed grassed lined swales will also receive rip-rap outlet protection in areas where erosive velocities are anticipated.

B3. Grading

The initial clearing and grubbing will be limited to those measures required to install the project's erosion and sediment controls. When left onsite, any soil or brush will be stockpiled at locations with low potential for erosion, away from drainage paths and structures to be retained. Silt fencing will be installed on all sides at least 10 feet from toe of slope.

B4. Erosion Control

All disturbed areas will be seeded and mulched as appropriate. This includes the ditches, swales and other disturbed areas that are reclaimed for vegetation, and all soils stockpiled onsite. Seeding and mulching requirements are noted on the project plans.

B5. Sediment Control

Sediment control is to be established at the site through the use of silt fences and compost filter socks. Specifically, silt fences and compost filter socks will be installed downgrade of all construction activities, to provide sediment control.

Construction entrances will also be protected by stabilized entrances to prevent silt from exiting the site via adjacent roadways.

Further, all structural controls will be maintained on a regular basis, to ensure their functionality and to remove sediment buildup. The locations of these controls are shown on the project plans.

B6. Maintenance and Inspection

Inspection of all erosion and sediment controls must be performed by the trained contractor in accordance with Section E of this SWPPP.

A qualified inspection shall complete an inspection at the start of the roadway and infrastructure construction. This inspection shall ensure all erosion and sediment control practices are installed correctly and all SWPPP forms/certifications are executed and included in the onsite SWPPP.

Once permanent stabilization has been achieved, the qualified inspector shall perform another inspection.

A qualified inspector shall complete inspections during the construction of the permanent stormwater practices. The inspector shall also complete a post-construction inspection to review the practices for conformance with the design documents.

An inspection report, to be used at the site(s), is attached as Appendix B.

B7. Finish Grading and Landscaping

Following construction, disturbed areas intended to be reclaimed for vegetative cover will receive decompaction, finish grading, seed, and mulch. Such finish grading and landscaping will commence no more than 14 days from the time that construction in the area has been completed.

Following stabilization of the finish grading and landscaping, temporary erosion and sediment control measures may be removed.

B8. Post Construction Controls

The permanent stormwater controls were designed to accept post-construction conditions. If necessary, due to construction changes, such permanent controls will be reviewed and updated, to ensure that they truly represent the post-construction runoff conditions. Upon completion of the construction, all permanent stormwater controls in the right-of-way will be owned and maintained by the municipality.

Grass lined swales at the toe of slopes will be owned and maintained by the individual homeowners.

B9. Winter Stabilization Requirements

Winter Stabilization Requirements apply to all construction activities involved with ongoing construction land disturbance and exposure between November 15th to the following April 1st. These requirements shorten the required stabilization timeframe, modify the temporary stabilization rate, and require other items. These requirements can be found in Appendix E.

Section C: Construction Waste Management Plan
Pollution Prevention Plan
Construction Spill Prevention and Control Plan

C1. Storage and Disposal of Construction Site Wastes

- Designate a waste collection area onsite that does not receive a substantial amount of runoff from upland areas and does not drain directly to a waterbody.
- Ensure that containers have lids so they can be covered before periods of rain, and keep containers in a covered area whenever possible.
- Waste collection area and containers shall be installed on a stabilized surface to ensure unnecessary disturbance does not occur.
- Schedule waste collection to prevent the containers from overfilling.
- Collect, remove, and dispose of all construction site wastes at authorized disposal areas.
- Concrete washout shall be contained.
- Dewatering shall be managed by appropriate control measures.

C2. Material Handling Procedures and Storage Requirements

- Recycle, reclaim, or reuse process materials, thereby reducing the amount of process materials that are brought onsite.
- Install leak detection devices, overflow controls, and diversion berms when appropriate.
- Disconnect any drains from processing areas that lead to the drainage or stormwater system.
- Perform preventative maintenance on storm tanks, valves, pumps, pipes, and other equipment. Any leaking equipment shall be immediately repaired or removed from the site.
- Use material transfer procedures or filling procedures for tanks and other equipment that minimize spills.
- Substitute less or non-toxic materials for toxic materials.

C3. Disposal of Hazardous Materials

- Consult local waste management authorities about the requirements for disposing of hazardous materials.
- To prevent leaks, empty and clean any hazardous waste containers before they are disposed of.
- The original product label should never be removed from the container, as it contains important safety information. Follow the manufacturer's recommended method of disposal, which should be printed on the label.
- If excess products need to be disposed of, they should never be mixed during disposal unless specifically recommended by the manufacturer.

C4. Spill Response

- Clean up all spills immediately.
- For hazardous materials, follow cleanup instructions on the package. Use an absorbent material such as sawdust or kitty litter to contain the spill.
- In the event of a spill, notify project superintendent and Engineer. In the event of a hazardous material spill, also notify the NYS Department of Environmental Conservation, the NYS Department of Transportation, the NYS Police, and the local Fire Department.

C5. Use of Petroleum Products

- Store petroleum products and fuel for vehicles in covered areas with dikes in place to contain any spills.
- Immediately contain and clean up any spills with absorbent materials.
- Have equipment available in fuel storage areas and in vehicles to contain and clean up any spills that occur.
- Report spills to the NYSDEC when required by law.

C6. Use of Pesticides

- Follow all federal, state, and local regulations that apply to the use, handling, or disposal of pesticides.
- Do not handle the materials any more than necessary.
- Store pesticides in a dry, covered area.
- Construct curbs or dikes to contain pesticides in case of spillage.
- Follow the recommended application rates and methods.
- Have equipment and absorbent materials available in areas where pesticides are stored and used in order to contain and clean up any spills that occur.

C7. Use of Fertilizers

- Apply fertilizers at the minimum rate and to the minimum area needed.
- Work the fertilizer deeply into the soil to reduce exposure of nutrients to stormwater runoff.
- Apply fertilizer at lower application rates with a higher application frequency.
- Ensure that erosion and sediment controls are in place to prevent fertilizers and sediments from being transported off-site.

C8. Use of Detergents

- Detergents shall not be used on the construction site.
- If washing occurs it shall only be accomplished with clean water and the wash water shall be properly contained.

Section D. Stormwater Management Planning

D1. Site Planning

Site planning must be incorporated into the design, in order to conserve natural areas and reduce impervious cover. The area to be disturbed and developed was selected to minimize impacts on existing natural resources, such as the wetlands that are present.

The project plans include silt fence to minimize unnecessary land disturbance. All of this work was an iterative process, in order to ensure that impacts are first avoided, then minimized, and finally managed.

D2. Water Quality and Runoff Reduction Volume

The project proposes to disturb greater than one acre of soil, but less than five acres for a single-family residential subdivision with 25% or less impervious cover at total site build-out and is not located in one of the watersheds listed in Appendix C of the CGP and does not directly discharging to one of the 303(d) segments listed in Appendix D of the CGP. In accordance with Appendix B of the CGP, the preparation of a SWPPP that only includes erosion and sediment controls is required.

Post construction stormwater treatment practices are not required for this project.

The developer has voluntarily elected to install small-scale practices on each lot to promote groundwater recharge, beyond the requirements of this SWPPP. These practices are not inclusive to this SWPPP.

D3. Volume and Peak Rate Controls

The project proposes to disturb greater than one acre of soil, but less than five acres for a single-family residential subdivision with 25% or less impervious cover at total site build-out and is not located in one of the watersheds listed in Appendix C of the CGP and does not directly discharging to one of the 303(d) segments listed in Appendix D of the CGP. In accordance with Appendix B of the CGP, the preparation of a SWPPP that only includes erosion and sediment controls is required.

Post construction stormwater attenuation controls are not required for this project.

D4. Final Landscaping

In order to ensure long-term viability of the stormwater controls, landscaping must be established in those areas requiring it. For each relevant control, the landscaping requirements are included on the project plans.

Section E: Construction Inspections

E1. Maintenance Inspection Schedule - Trained Contractor

All of the erosion and sediment control practices are to be in continuous and effective operation. In order to ensure that requirement is met, at the start of each work day, the items listed below are to be inspected. Additionally, at the end of each work day, those areas where construction activities have been performed shall also to be inspected. All inspections are to be by the Trained Contractor. When necessary, the practices are to be maintained and/or repaired or replaced. The Contractor shall begin implementing corrective actions within one business day and complete the action within five business days if engineering design is not required. If engineering design is required, the engineering design process must begin within five business days and the corrective action must be completed in a reasonable timeframe but no later than within sixty calendar days. Following is the list of practices for inspection:

- Limits of Disturbance - Verify in good condition. Repair as required.
- Silt Fence - Verify in good condition. Maintain and remove sediment build-up with every accumulation. Verify locations are appropriate and relocate as needed.
- Construction Entrance - Verify in good condition. Add 3" stone as top course as needed.
- Check Dams - Verify in good condition. Maintain and remove sediment build-up when reaches 1/3 dam height. Verify locations are appropriate and relocate as needed.
- Compost Filter Sock (if used) – Verify in good condition. Maintain and remove sediment when it reaches half the above ground height of sock.
- Riprap Outlet (if used) – Verify in good condition. If evidence of scour or dislodged rocks, repair immediately.
- Concrete Washout - Verify in good condition. Verify the liner is free from holes. Maintain and remove waste when 75% of the storage volume is reached.
- Soil Stabilization - Verify in good condition. Re-apply stabilization materials as needed.
- Final Stabilization - Verify in good condition. Re-apply stabilization materials as needed.

E2. Ongoing Inspections during Construction - Qualified Inspector

The CGP exempts projects that disturb greater than one acre of soil, but less than five acres for a single-family residential subdivision with 25% or less impervious cover at total site build-out and is not located in one of the watersheds listed in Appendix C of the CGP and does not directly

discharging to one of the 303(d) segments listed in Appendix D of the CGP from requiring weekly inspections from a Qualified Inspector.

A Qualified Inspector shall complete the following inspections, at a minimum:

- At the start of the roadway and infrastructure. This inspection shall ensure all erosion and sediment control practices are installed correctly and all SWPPP forms/certifications are executed and included in the onsite SWPPP.
- Once permanent stabilization of areas disturbed during the roadway and infrastructure construction has been achieved.
- At the start of construction of each lot. This inspection shall ensure all erosion and sediment control practices are installed correctly and all SWPPP forms/certifications are executed and included in the onsite SWPPP.
- Once permanent stabilization on each lot has been achieved.
- During the construction of permanent stormwater controls.
- Post-construction of the permanent stormwater controls to review the practices for conformance with the design documents.

E3. Inspection Report Requirements - Qualified Inspector

The Qualified Inspector must prepare an inspection report after every inspection, and maintain that report at the project site. At a minimum, the report must include the following:

- Permit Identification Number
- Date and time of inspection
- Name, title, and signature of person performing inspection
- Description of weather, temperature, and soil conditions
- Description of the condition of the runoff at all points of discharge from the site. Runoff includes both sediment and stormwater. Points of discharge include point sources (pipes, culverts, ditches, etc.) as well as overland flow
- Description of the condition of all-natural surface waterbodies located within (or immediately adjacent to) the site which receive runoff (sediment and stormwater) from disturbed areas

- Identification of all erosion and sediment control practices that need repair or maintenance
- Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced
- Description and sketch 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
- Estimates, in square feet or acres, of the following areas:
 - Total area with active soil disturbance (not requiring either temporary stabilization or final stabilization); and
 - Total area with inactive soil disturbance (requiring either temporary stabilization or final stabilization); and
 - Total area that has achieved temporary stabilization; and
 - Total area that has achieved final stabilization; and
- Current stage 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
- Corrective actions that must be taken to install, repair, replace, or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practices
- Identification and status of all corrective actions that were required by previous inspection
- Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. Paper color copies of the digital photographs must be attached with the inspection report being maintained onsite.

All inspection reports must be maintained onsite, with the SWPPP and other associated documents. Also, within one business day of the completion of an inspection, the Qualified Inspector must notify the owner and appropriate contractor of any corrective actions that need to be taken. The Contractor shall begin implementing corrective actions within one business day and complete the action within five business days if engineering design is not required. If engineering design is required, the engineering design process must begin within five business days and the corrective action must be completed in a reasonable timeframe but no later than within sixty calendar days

E4. Inspections during Temporary Shutdowns

For construction sites where soil disturbance activities have been temporarily suspended (such as for winter shutdown), and temporary stabilization measures have been applied to all disturbed areas, the owner may notify the NYS DEC in writing, requesting a reduction in frequency of inspections. The Qualified Inspector shall complete an inspection documenting satisfactory stabilization prior to proceeding into temporary shutdown. The Trained Contractor shall complete inspections once every thirty calendar days during temporary shutdown. Such inspections must be completed, with the same requirements as the ongoing inspections during construction (outlined in sections E1 and E3).

E5. Inspections for Partial and Final Project Shutdown

For construction sites where soil disturbance activities have been shut down with partial project completion, the owner may notify the NYS DEC in writing, requesting a reduction in frequency of inspections. If all disturbed areas have achieved final stabilization and all temporary, structural erosion and sediment control measures have been removed, the Qualified Inspector shall perform an inspection documenting the conditions.

If soil disturbance activities are not resumed within 2 years from the date of shutdown, or when the project is complete, the Qualified Inspector may perform a final inspection and certify that all disturbed areas have achieved final stabilization, all temporary, structural erosion and sediment control measures have been removed. The Qualified Inspector then signs the “Final Stabilization” and “Post-Construction Stormwater Management Practice” certification statements on the Electronic Notice of Termination (eNOT). The completed eNOT can then be submitted to the NYS DEC.

Section F: Project Completion, Closeout, and Operations & Maintenance

F1. Termination of Permit Coverage

The owner may terminate coverage under the General Permit when one or more the following conditions have been met: total project completion, planned shutdown with partial project completion, or a new owner has obtained coverage under the permit.

For projects that have achieved total or partial project completion and the site has reached permanent stabilization (as defined by the General Permit), the Qualified Inspector must perform a final site inspection prior to the owner's submission of the Electronic Notice of Termination (eNOT). Details of that inspection are outlined in the Construction Inspections portion of this SWPPP. A copy of the blank eNOT is included as an appendix to this SWPPP.

F2. Required Records Retention

For at least five years after the date that the NYS DEC receives the Notice of Termination, the owner must retain a copy of following items:

- Stormwater Pollution Prevention Plan (SWPPP)
 - Inclusive of all signed certifications forms
- General Permit GP-0-25-001
 - *Included as attachment within this bound SWPPP*
- Completed Notice of Intent (eNOI)
- Notice of Intent Acknowledgment Letter (LOA)
- All Inspection Reports
- All Contractor Certification Pages
- Notice of Termination (eNOT)
- Letter of Termination (LOT)

F3. Operations and Maintenance

Following construction, landscaping, tree and shrub planting, and stabilization will be conducted. The municipality will be responsible for maintenance of the roadside swales. Such maintenance shall include at a minimum the following items:

- Annual mowing of the ditches
- Trimming and removal of trees to ensure that trees do not establish within the ditch line
- Removal of weeds and debris from stabilized outlets and culverts
- Annual inspection of the ditches, culverts, and end sections to ensure no erosion is occurring and that all areas have adequate stabilization

- Repair and stabilization of all drainage features within the highway right of way.

After the construction of each home/lot, landscaping, tree and shrub planting, and stabilization will be conducted. Plantings and stabilization measures are the responsibility of each lot owner and will be maintained by each lot owner. Each lot owner is responsible for ensuring that erosion does not occur on their respective lot.

Appendix A

Permit Forms



**Department of
Environmental
Conservation**

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (NYSDEC)

**SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES**

From

CONSTRUCTION ACTIVITY

Permit No. GP-025-001

Construction General Permit (CGP)

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

Effective Date: January 29, 2025

Expiration Date: January 28, 2030

Scott E. Sheeley

Chief Permit Administrator

Scott E. Sheeley

Authorized Signature

Date

JAN. 29, 2025

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

PREFACE

Pursuant to Section 402 of the Clean Water Act (CWA), and 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), *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 State 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 and 8, and Article 70, as well as 6 NYCRR Parts 621 and 750.

Construction activities constitute construction of a *point source* and, therefore, pursuant to ECL sections 17-0505, 17-0701, and 17-0803, the *owner or operator* must have coverage under a SPDES permit prior to *commencement of construction activities*. 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 CONSTRUCTION GENERAL PERMIT (CGP) GP-0-25-001
FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES**

Table of Contents

Part I. How to Obtain Coverage and General Requirements	5
A. Eligibility Requirements	5
B. Types of <i>Discharges</i> Authorized	9
C. Prohibited <i>Discharges</i>	10
D. Electronic Notice of Intent (eNOI) Submittal.....	10
E. General Requirements for <i>Owners or Operators</i> with Permit Coverage	14
F. Permit Coverage for <i>Discharges</i> Authorized Under GP-0-20-001.....	18
G. Change of <i>Owner or Operator</i>	19
Part II. Water Quality-Based Effluent Limitations	20
A. Maintaining Water Quality	20
B. Effluent Limitations Applicable to <i>Discharges</i> from <i>Construction Activities</i>	20
C. Post-Construction Stormwater Management Practice (SMP) Requirements ..	23
Part III. Stormwater Pollution Prevention Plan (SWPPP)	28
A. General SWPPP Requirements	28
B. Required SWPPP Contents	32
C. Required SWPPP Components by Project Type.....	37
Part IV. Inspection and Maintenance Requirements	37
A. General Construction Site Inspection and Maintenance Requirements	37
B. Contractor Maintenance Inspection Requirements	37
C. <i>Qualified Inspector</i> Inspection Requirements.....	38
Part V. How to Terminate CGP Coverage	43
A. Electronic Notice of Termination (eNOT) Submittal.....	43
Part VI. Record Retention and Reporting	45
A. Record Retention	46
B. Reporting	46
Part VII. Standard Permit Requirements	46
A. Duty to Comply.....	46
B. Need to Halt or Reduce Activity Not a Defense.....	46
C. Penalties	46
D. False Statements	47
E. Re-Opener Clause	47
F. Duty to Mitigate	47
G. Requiring Another General Permit or Individual SPDES Permit.....	47
H. Duty to Provide Information.....	49
I. Extension	49
J. Signatories and Certification	50
K. Inspection and Entry	52
L. Confidentiality of Information.....	53
M. Other Permits May Be Required	53

N.	NYSDEC Orders or Civil Decrees/Judgments.....	53
O.	Property Rights	53
P.	Compliance with Interstate Standards.....	53
Q.	Oil and Hazardous Substance Liability.....	54
R.	Severability.....	54
S.	NYSDEC Approved Forms.....	54
APPENDIX A – Abbreviations and Definitions.....		55
Abbreviations.....		55
Definitions.....		56
APPENDIX B – Required SWPPP Components by Project Type.....		64
Table 1.....		64
Table 2.....		66
APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal.....		68
APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants)		74
APPENDIX E – List of NYSDEC Regional Offices.....		80
APPENDIX F – SWPPP Preparer Certification Form		81
APPENDIX G – MS4 SWPPP Acceptance Form.....		83
APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form		86
APPENDIX I – MS4 No Jurisdiction Form.....		89
APPENDIX J – Owner/Operator Certification Form		91

Part I. How to Obtain Coverage and General Requirements

To be covered under this permit, the *owner or operator* must meet all eligibility requirements in Part I.A. and follow the requirements for obtaining permit coverage in Part I.D., F., or G.

A. Eligibility Requirements

For a *common plan of development or sale*, the *phase(s)* that meet the eligibility requirements in Part I.A. may obtain coverage under this permit even if other *phase(s)* of the same *common plan of development or sale* do not meet the eligibility requirements and require an individual SPDES permit.

1. The *owner's or operator's construction activities* involve soil disturbances of:
 - a. one or more acres; or
 - b. less than one acre which are part of a *common plan of development or sale* that will ultimately disturb one or more acres; or
 - c. less than one acre where NYSDEC 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*.
 - i. 5,000 square feet or more, but less than one acre, and are in the New York City Watershed located east of the Hudson River, Appendix C Figure 1; or
 - ii. 20,000 square feet or more, but less than one acre, within the municipal boundaries of the City of New York (NYC); or
 - iii. less than 20,000 square feet which are part of a *common plan of development or sale* that will ultimately disturb 20,000 square feet or more, but less than one acre, within the municipal boundaries of NYC; or
 - iv. that creates 5,000 square feet or more of *impervious area* within the municipal boundaries of NYC.

Part I.A.2.

2. *Discharges from the owner's or operator's construction activities* are/were not:
 - a. already covered by a different SPDES permit; or
 - b. covered under a different SPDES permit that was denied, terminated, or revoked; or
 - c. identified in an expired individual SPDES permit that was not renewed; or
 - d. required to obtain an individual SPDES permit or another general SPDES permit in accordance with Part VII.K.
3. If *construction activities* may adversely affect a species that is endangered or threatened, the *owner or operator* must obtain a:
 - a. permit issued pursuant to 6 NYCRR Part 182 for the project; or
 - b. letter issued by NYSDEC of non-jurisdiction pursuant to 6 NYCRR Part 182 for the project.
4. If *construction activities* have the potential to affect an *historic property*, the *owner or operator* must obtain one of the following:
 - a. documentation that the *construction activity* is not within an archeological buffer 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:
 - i. 1-5 acres of disturbance - 20 feet; or
 - ii. 5-20 acres of disturbance - 50 feet; or

Part I.A.4.a.iii.

- iii. 20+ acres of disturbance - 100 feet.
- b. NYSDEC consultation form sent to OPRHP,¹ and copied to NYSDEC's Agency Historic Preservation Officer (APO), and
 - i. the State Environmental Quality Review Act (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 or 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).
- c. documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:
 - i. No Affect; or
 - ii. No Adverse Affect; or
 - iii. Executed Memorandum of Agreement.
- d. documentation that SHPA Section 14.09 has been completed by NYSDEC or another state agency.

5. If *construction activities* are subject to SEQR, the *owner or operator* must obtain documentation that SEQR has been satisfied.

6. If *construction activities* are not subject to SEQR, but subject to the equivalent environmental review from another New York State or federal agency, the

¹ The consultation form can be submitted, along with other project information, through OPRHP's Cultural Resource Information System (CRIS) portal. If submitted through CRIS, paper copies of the consultation form need not be mailed.

Part I.A.6.

owner or operator must obtain documentation that project review, pursuant to a process equivalent to SEQR from another New York State or federal agency, has been satisfied.

7. If *construction activities* require Uniform Procedures Act (UPA) Permits (see 6 NYCRR Part 621) from NYSDEC, or the equivalent from another New York State or federal agency, the *owner or operator* must:
 - a. obtain all such necessary permits; or
 - b. receive notification from NYSDEC pursuant to 6 NYCRR 621.3(a)(4) excepting Part I.A.7.a.
8. *Construction activities* are not eligible if they meet the following criteria in Part I.A.8.a. or b.:
 - a. For linear transportation and linear utility project types, the *construction activities*:
 - i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and
 - ii. are undertaken on land with no existing *impervious cover*; and
 - iii. disturb two or more acres of *steep slope*.
 - b. For all other project types, the *construction activities*:
 - i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and
 - ii. are undertaken on land with no existing *impervious cover*; and
 - iii. disturb one or more acres of *steep slope*.

B. Types of *Discharges* Authorized

1. The following *stormwater discharges* are authorized under this permit:
 - a. *Stormwater discharges*, including *stormwater runoff*, *snowmelt runoff*, and *surface runoff* and *drainage*, associated with *construction activity*, are authorized under this permit provided that appropriate *stormwater controls* are designed, installed, and maintained in accordance with Part II. and Part III.
 - b. *Stormwater discharges* from construction support activities at the *construction site* (including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas) if the following requirements are met:
 - i. The support activity is directly related to the *construction site* required to have permit coverage for *stormwater discharges*; and
 - ii. The support activity is not a commercial operation, nor does it serve multiple unrelated *construction sites*; and
 - iii. The support activity does not continue to operate beyond the completion of the *construction activity* at the site it supports; and
 - iv. *Stormwater controls* are implemented in accordance with Part II. and Part III. for *discharges* from the support activity areas.
2. The following non-*stormwater discharges* associated with *construction activity* are authorized under this permit:
 - a. Non-*stormwater discharges* 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”; and
 - b. Non-*stormwater discharges* of waters to which other components have not been added that are used in accordance with the *SWPPP* to control dust or irrigate vegetation in stabilized areas; and
 - c. Uncontaminated *discharges* from *dewatering* operations

Part I.B.3.

3. Authorized *discharges* of *stormwater* or authorized *discharges* of non-*stormwater*, commingled with a *discharge* authorized by a different SPDES permit and/or a *discharge* that does not require SPDES permit authorization, are also authorized under this permit.

C. Prohibited Discharges

1. Non-*stormwater* *discharges* prohibited under this permit include but are not limited to:
 - a. Wastewater from washout of concrete; and
 - b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials; and
 - c. Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance; and
 - d. Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown; and
 - e. Toxic or hazardous substances from a spill or other release.

D. Electronic Notice of Intent (eNOI) Submittal

To receive authorization in accordance with Part I.D.3.b., the *owner or operator* must submit a complete eNOI in accordance with the requirements in Part I.D. The eNOI contains questions to: ensure eligibility requirements in Part I.A. have been met; obtain *owner or operator* contact information; obtain the total area to be disturbed and the existing/future *impervious areas* (rounded to the nearest tenth of an acre); confirm *Traditional Land Use Control MS4 Operator* jurisdiction over construction projects; satisfy the EPA eRule requirements; confirm that the Water Quality-Based Effluent Limitations in Part II. have been met; demonstrate consideration of the future risks due to climate change in accordance with Part III.A.2.; and confirm that the other *Stormwater Pollution Prevention Plan* (SWPPP) requirements in Part III. have been met.

1. An eNOI may be submitted for:
 - a. *construction activities* that are not part of a *common plan of development or sale*; or

Part I.D.1.b.

- b. an entire *common plan of development or sale*; or
- c. separate *phase(s)* of a *common plan of development or sale* if the following requirements are met:
 - i. the *common plan of development or sale* meets the eligibility requirements of Part I.A.5. or 6.; and
 - ii. the *phase(s)* meet(s) all other eligibility requirements of Part I.A.; and
 - iii. Part III.C. Required SWPPP Components by Project Type is based on the *common plan of development or sale*, not the *phase(s)*; or
- d. *tree clearing* that is associated with, or will support, a *renewable energy* generation, transmission, or storage project that meets Part I.A.5. and 6., if the *tree clearing*:
 - i. meets all other eligibility requirements of Part I.A.; and
 - ii. will occur in NYSDEC's Regions 3-9; and
 - iii. is not within $\frac{1}{4}$ mile of a bat hibernaculum protected pursuant to 6 NYCRR Part 182; and
 - iv. will occur between November 1st and March 31st.

2. As prerequisites for submitting an eNOI, the *owner or operator* must:

- a. prepare a *SWPPP* for Part I.D.1.a., b., c., or d. in accordance with Part III.; and
- b. based on the following criteria, upload the following signature forms signed in accordance with Part VII.J. to the eNOI prior to submission:
 - i. for all eNOIs:
 - 1. the SWPPP Preparer Certification Form, Appendix F, signed by the *SWPPP* preparer; and

Part I.D.2.b.i.2.

2. the Owner/Operator Certification Form, Appendix J, signed by the *owner or operator*; and
- ii. if an eNOI includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that will *discharge* to the *MS4(s)*:
 1. determine if the *Traditional Land Use Control MS4 Operator(s)* have review authority. A *Traditional Land Use Control MS4 Operator* does not have review authority where:
 - a. the *owner or operator* of the *construction activities* in Part I.D.2.b.ii. is the same entity as the *Traditional Land Use Control MS4 Operator* identified in Part I.D.2.b.ii.; or
 - b. there is a statute exempting the *owner or operator* from zoning review by the *Traditional Land Use Control MS4 Operator*; or
 - c. there is no such statute per Part I.D.2.b.ii.1.b., the *Traditional Land Use Control MS4 Operator* concludes, after public hearing, that it does not have zoning review authority in accordance with Legal Memorandum LU14 Updated January 2020 "Governmental Immunity from Zoning and Other Legislation"; and
 2. if the *Traditional Land Use Control MS4 Operator(s)* have review authority, submit the *SWPPP* to the *Traditional Land Use Control MS4 Operator(s)* for review and have:
 - a. if outside the municipal boundaries of NYC: the *MS4 SWPPP Acceptance Form*, Appendix G, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator*, or by a duly authorized representative of that person in accordance with Part VII.J.2.; or

Part I.D.2.b.ii.2.b.

- b. if within the municipal boundaries of NYC: The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval Form, Appendix H, signed by the principal executive officer or ranking elected official from the Traditional Land Use Control MS4 Operator, or by a duly authorized representative of that person in accordance with Part VII.J.2.; and
 3. if the *Traditional Land Use Control MS4 Operator* does not have review authority, have the MS4 No Jurisdiction Form, Appendix I, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator*, or by a duly authorized representative of that person in accordance with Part VII.J.2.
3. Submitting an eNOI:
 - a. The *owner or operator* must submit a complete Notice of Intent electronically using a NYSDEC approved form.²
 - b. The *owner or operator* is authorized to *commence construction activity* as of the authorization date indicated in the Letter of Authorization (LOA), which is sent by NYSDEC after a complete eNOI is submitted.
 - i. If an eNOI is received for a *SWPPP* that deviates from one of the technical standards but demonstrates *equivalence* in accordance with Part III.B.1.a.ii. or Part III.B.2.b.ii., if the *SWPPP* includes *construction activities* that are not within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)*, and/or if the *SWPPP* includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that do not have review authority in accordance with Part I.D.2.b.ii.1., the authorization date indicated in the LOA will be 60 business days after the eNOI submission date.

² Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

Part I.D.3.c.

- c. If *Traditional Land Use Control MS4 Operator(s)* have review authority in accordance with Part I.D.2.b.ii.2., the *owner or operator* must, within five business days of receipt of the LOA, send an electronic copy of the LOA to the *Traditional Land Use Control MS4 Operator(s)* with review authority.

E. General Requirements for Owners or Operators with Permit Coverage

1. As of the date the LOA is received, the *owner or operator* must make the eNOI, SWPPP, and LOA available for review and copying in accordance with the requirements in Part VII.H. When applicable, as of the date an updated LOA is received, the *owner or operator* must make the updated LOA available for review and copying in accordance with the requirements in Part VII.H.
2. The *owner or operator* must ensure compliance with all requirements of this permit and that the provisions of the SWPPP, including any changes made to the SWPPP in accordance with Part III.A.5., are properly implemented and maintained from the *commencement of construction activity* until:
 - a. all areas of disturbance have achieved *final stabilization*; and
 - b. the owner's or operator's coverage under this permit is terminated in accordance with Part V.A.5.a.
3. As of the date of the *commencement of construction activities* until Part I.E.2.a. and b. have been met, the *owner or operator* must maintain at the *construction site*, a copy of:
 - a. all documentation necessary to demonstrate eligibility with this permit; and
 - b. this permit; and
 - c. the SWPPP; and
 - d. the signed SWPPP Preparer Certification Form; and
 - e. the signed MS4 SWPPP Acceptance Form or signed NYCDEP SWPPP Acceptance/Approval Form or signed MS4 No Jurisdiction Form (when applicable); and
 - f. the signed Owner/Operator Certification Form; and

Part I.E.3.g.

- g. the eNOI; and
- h. the LOA; and
- i. the LOA transmittal to the Traditional Land Use Control MS4 Operator in accordance with Part I.D.3.c. (when applicable).

4. The *owner or operator* must maintain at the *construction site*, until Part I.E.2.a. and b. have been met, as of the date the documents become final or are received, a copy of the:

- a. responsible contractor's or subcontractor's certification statement(s) in accordance with Part III.A.7.; and
- b. inspection reports in accordance with Part IV.C.4. and 6.; and
- c. Request to Disturb Greater Than Five Acres and the Authorization Letter to Disturb Greater Than Five Acres in accordance with Part I.E.6. (when applicable); and
- d. Request to Continue Coverage and the Letter of Continued Coverage (LOCC) in accordance with Part I.F.2. and 4. (when applicable); and
- e. The updated LOA(s) in accordance with Part I.E.9. (when applicable).

5. The *owner or operator* must maintain the documents in Part I.E.3. and 4. 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. The documents must be paper documents unless electronic documents are accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be. If electronic documents are kept on site, the *owner or operator* must maintain functional equipment on site available to an inspector during normal hours of operation such that an inspector may view the electronic documents in a format that can be read in a similar manner as a paper record and in a legally dependable format with no less evidentiary value than their paper equivalent.

6. The *owner or operator* must meet the following requirements prior to disturbing greater than five acres of soil at any one time:

- a. The *owner or operator* must submit a written Request to Disturb Greater Than Five Acres to:

Part I.E.6.a.i.

- i. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, if a *Traditional Land Use Control MS4 Operator* does not have review authority in accordance with Part I.D.2.b.ii.1.; or
- ii. the *Traditional Land Use Control MS4 Operator*, if a *Traditional Land Use Control MS4 Operator* has review authority in accordance with Part I.D.2.b.ii.1.; or
- iii. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, and each involved *Traditional Land Use Control MS4 Operator*, if the project spans multiple municipalities with more than one *Traditional Land Use Control MS4 Operator* involved with review authority in accordance with Part I.D.2.b.ii.1.

b. The written Request to Disturb Greater Than Five Acres must include:

- i. The SPDES permit identification number (Permit ID); and
- ii. Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and
- iii. The phasing plan for the project and sequencing plans for all *phases* from the *SWPPP* in accordance with Part III.B.1.d.; and
- iv. Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and
- v. Acknowledgment that “the *owner or operator* will comply with the requirements in Part IV.C.2.b.”; and
- vi. Acknowledgment that “the *owner or operator* will comply with the requirements in Part II.B.1.b.”

c. The *owner or operator* must be in receipt of an Authorization Letter to Disturb Greater Than Five Acres, which will include when the

Part I.E.6.c.

authorization begins and ends and indicate a maximum area (acres) of soil disturbance allowed at any one time, from:

- i. NYSDEC, if Part I.E.6.a.i. or iii. apply; or
- ii. the *Traditional Land Use Control MS4 Operator*, if Part I.E.6.a.ii. applies.

7. Upon a finding of significant non-compliance with the practices described in the *SWPPP* or violation of this permit, NYSDEC may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order must be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

8. 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).³ *Construction activity* shall not resume until written permission to do so has been received from the RWE.

9. To be authorized to implement modifications to the information previously submitted in the eNOI, the *owner or operator* must:

- a. notify NYSDEC via email at Stormwater_info@dec.ny.gov requesting access to update the eNOI; and
- b. update the eNOI to reflect the modifications and resubmit the eNOI in accordance with Part I.D.; and
- c. receive an updated LOA.

10. The eNOI, *SWPPP*, LOA, updated LOAs (when applicable), 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 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.

³ The Regional Water Manager where a DEC Region does not have a RWE.

F. Permit Coverage for *Discharges Authorized Under GP-0-20-001*

When applicable:

1. Upon the effective date of this permit, an *owner or operator of a construction activity*, with coverage under GP-0-20-001, will have interim coverage under GP-0-25-001 for 45 calendar days starting on the effective date of GP-0-25-001 so long as the *owner or operator* maintains compliance with all applicable requirements of this permit.
2. Within 30 calendar days of the effective date of this permit, the *owner or operator*, with coverage under GP-0-20-001, must submit a complete Request to Continue Coverage electronically using a NYSDEC approved form,⁴ which contains the information identified in Part I.F.3. below, if:
 - a. the *owner or operator* continues to implement the SMP component in conformance with the technical standards in place at the time of initial project authorization; and
 - b. the *owner or operator* will comply with all non-design requirements of GP-0-25-001.
3. The Request to Continue Coverage form contains questions to: ensure eligibility requirements in Part I.A. have been met; verify *owner or operator* contact information; verify the permit identification number; verify the original eNOI submission ID, if applicable; verify Part I.F.2.a. and b.; verify the version of the Design Manual that the technical/design components conform to; and receive an updated Owner/Operator Certification Form, Appendix I.
4. The *owner or operator* has obtained continued coverage under GP-0-25-001 as of the date indicated in the LOCC, which is sent by NYSDEC after a complete Request to Continue Coverage form is submitted.
5. If the owner or operator does not submit the Request to Continue Coverage form in accordance with Part I.F.2. and 3., coverage under this permit is automatically terminated after interim coverage expires.

⁴ Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

G. Change of Owner or Operator

When applicable:

1. When property ownership changes, or when there is a change in operational control over the construction plans and specifications, the following process applies:
 - a. The new *owner or operator* must meet the applicable prerequisites for submitting an eNOI in accordance with Part I.D.2.; and
 - b. The new *owner or operator* must submit an eNOI in accordance with Part I.D.3.; and
 - c. Permit coverage for the new *owner or operator* will be effective upon receipt of the LOA in accordance with Part I.D.3.b.; and
 - d. The new *owner or operator*, upon receipt of their LOA, must provide their Permit ID to the original *owner or operator*; and
 - e. If the original *owner or operator* will no longer be the *owner or operator* of the *construction activity* identified in the original *owner's or operator's* eNOI, the original *owner or operator*, upon receipt of the new *owner's or operator's* Permit ID in accordance with Part I.G.1.d., must submit to NYSDEC a completed eNOT in accordance with Part V. that includes the name and Permit ID of the new *owner or operator*; or
 - f. If the original *owner or operator* maintains ownership of a portion of the *construction activity*, the original *owner or operator* must maintain their coverage under the permit by modifying their eNOI; modifications to the eNOI must include:
 - i. the revised area of disturbance and/or *impervious area(s)*; and
 - ii. the revised SMP information, if applicable; and
 - iii. a narrative description of what has changed; and
 - iv. the new *owner's or operator's* Permit ID for the portion of the project removed from the eNOI.

Owners or operators must follow Part I.E.9. to modify the eNOI.

Part II. Water Quality-Based Effluent Limitations

A. Maintaining Water Quality

NYSDEC expects that compliance with the requirements 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 the following *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:

1. There must be no increase in turbidity that will cause a substantial visible contrast to natural conditions; and
2. There must be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
3. There must 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 standard*, the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this permit and document in accordance with Part IV.C.4. of this permit. To address the *water quality standard* violation the *owner or operator* must include and implement appropriate controls in the *SWPPP* to correct the problem or obtain an individual SPDES permit.

If, despite compliance with the requirements of this 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 NYSDEC determines that a modification of this permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit, and the *owner or operator* must obtain an individual SPDES permit prior to further *discharges* from the *construction site*.

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

Discharges authorized by this permit must achieve, at a minimum, the effluent limitations in Part II.B.1.a., b., c., d., and e. These limitations represent the

Part II.B.

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 II.B.1.a., b., c., d., and e. and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (BB), 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 *SWPPP* the reason(s) for the deviation, or alternative design, and provide information in the *SWPPP* demonstrating that the deviation or alternative design is *equivalent* to the technical standard.
 - a. **Erosion and Sediment Controls.** At a minimum, erosion and sediment controls must be selected, designed, installed, implemented, and maintained to:
 - i. *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*; and
 - ii. Control *stormwater discharges*, including both peak flow rates and total *stormwater* volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points; and
 - iii. *Minimize* the amount of soil exposed during *construction activity*; and
 - iv. *Minimize* the disturbance of *steep slope*; and
 - v. *Minimize* sediment *discharges* from the site; and
 - vi. Provide and maintain *natural buffers* around surface waters, direct *stormwater* to vegetated areas and maximize *stormwater* infiltration to reduce *pollutant discharges*, unless *infeasible*; and
 - vii. *Minimize* soil compaction. *Minimizing* soil compaction is not required

Part II.B.1.a.vii.

where the intended function of a specific area of the site dictates that it be compacted; and

- 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 ceased, whether permanently or *temporarily ceased*, the application of soil stabilization measures must be initiated by the end of the next business day and completed within 14 calendar 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 D, or are located in one of the watersheds listed in Appendix C, or are authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii., the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven calendar days from the date the soil disturbance activity 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.** Select, 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 selected, designed, installed, implemented, and maintained to:

- i. *Minimize* the *discharge of pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. Soaps, detergents and solvents cannot be used; and
- 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

Part II.B.1.d.ii.

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. **Surface Outlets.** When discharging from basins and impoundments, the surface outlets must 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 (SMP) Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction SMPs, in accordance with Part III.C., must select, design, install, implement, and maintain the SMPs to meet the *performance criteria* in the New York State Stormwater Management Design Manual, dated July 31, 2024 (DM), using sound engineering judgment. Where SMPs are not designed in conformance with the *performance criteria* in the DM, 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 SMPs in accordance with Part III.C., must design the practices to meet the applicable *sizing criteria* in Part II.C.2.a., b., c., or d.

a. Sizing Criteria for New Development

- i. Runoff Reduction Volume (RRV) and Water Quality Volume (WQV):
 - 1. Reduce the total WQV by application of RR techniques and standard SMPs with RRV capacity. The total WQV must be calculated in accordance with the criteria in Section 4.2 of the DM; or

Part II.C.2.a.i.2.

2. Minimum RRv and Treatment of Remaining Total WQv:
Construction activities that cannot meet the requirements in Part II.C.2.a.i.1. due to *site limitations* must 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 must 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 4.4 of the DM. The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

- ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs without detention or velocity controls; or
 3. The site *directly discharges* into a fifth order or larger water body (stream, river, or lake), or tidal waters, where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

Part II.C.2.a.iii.

- iii. **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 *directly discharges* to tidal waters or fifth order or larger streams, or
 - 2. A downstream analysis reveals that *overbank* control is not required.
- iv. 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 *directly discharges* 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 Watersheds*

- i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):
 - 1. Reduce the 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 must be calculated in accordance with the criteria in Section 4.3 of the DM; or
 - 2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part II.C.2.b.i.1. due to *site limitations* must 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 must 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

Part II.C.2.b.i.2.

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

- ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs; or
 3. The site *directly discharges* to tidal waters, or a fifth order or larger water body (stream, river, or lake) where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.
- iii. 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 *directly discharges* to tidal waters or fifth order or larger streams; or
 2. A downstream analysis reveals that *overbank* control is not required.

Part II.C.2.b.iv.

- iv. 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 *directly discharges* 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* must be addressed by one of the following options, as outlined in Section 9.2.1. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C) must calculate the WQv in accordance with Section 4.3 of the DM. All other *redevelopment activities* must calculate the WQv in accordance with Section 4.2 of the DM.
 - 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 DM must be applied to all newly created pervious areas; or
 - 2. Capture and treat 100% of the required WQv, for a minimum of 25% of the disturbed redevelopment *impervious area*, by implementation of standard SMPs or reduced by application of runoff reduction techniques; or
 - 3. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a volume-based alternative SMP, as defined in Section 9.4 of the DM; or
 - 4. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a flow-through alternative SMP sized to treat the peak rate of runoff from the WQv design storm; or

Part II.C.2.c.i.5.

5. Application of a combination of 1 through 4 above that provide a weighted average of at least two of the above methods. Application of this method must be in accordance with the criteria in Section 9.2.1(A)(V) of the DM; or
6. If there is an existing SMP 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 through 5 above.
 - ii. Channel Protection Volume (CPv) is not required if there is 0% change to hydrology that increases the *discharge* rate and volume from the project site.
 - iii. Overbank Flood Control (Qp) is not required if there is 0% change to hydrology that increases the *discharge* rate from the project site.
 - iv. Extreme Flood Control (Qf) is not required if there is 0% change to hydrology that increases 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*, must use SMPs that meet the *sizing criteria* calculated as an aggregate of the *sizing criteria* in Part II.C.2.a. or b. for the *new development* portion of the project and Part II.C.2.c. for the *redevelopment activity* portion of the project.

Part III. Stormwater Pollution Prevention Plan (SWPPP)

A. General SWPPP Requirements

1. A SWPPP must be prepared and implemented by the *owner or operator* of all *construction activity* covered by this permit. All authorized *discharges* must be identified in the SWPPP. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and

Part III.A.1.

practices that will be used to meet the effluent limitations in Part II.B. and, where applicable, the SMP requirements in Part II.C.

2. The *SWPPP* must demonstrate consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated guidance.
 - a. The owner or operator must consider:
 - i. the following physical risks due to climate change:
 - (i) increasing temperature; and
 - (ii) increasing precipitation; and
 - (iii) increasing variability in precipitation, including chance of drought; and
 - (iv) increasing frequency and severity of flooding; and
 - (v) rising sea level; and
 - (vi) increasing storm surge; and
 - (vii) shifting ecology.
 - ii. for each of the following:
 - (i) overall site planning; and
 - (ii) location, elevation, and sizing of:
 - a. control measures and practices; and
 - b. conveyance system(s); and
 - c. detention system(s).
 3. The *SWPPP* must describe the erosion and sediment control practices and where required, SMPs that will be used and/or constructed to reduce the *pollutants* in *stormwater discharges* and to assure compliance with the

Part III.A.3.

requirements of this permit. In addition, the *SWPPP* must identify potential sources of pollution which may reasonably be expected to affect the quality of *stormwater discharges*.

4. All *SWPPPs*, that require the SMP component in accordance with Part III.B.2., must be prepared by a *qualified professional*.
5. The *owner or operator* must keep the *SWPPP* current so that, at all times, it accurately documents the erosion and sediment control practices that are being used or will be used during construction, and all SMPs that will be constructed on the site. At a minimum, the *owner or operator* must modify the *SWPPP*, including construction drawings:
 - a. whenever the current provisions prove to be ineffective in *minimizing pollutants* in *stormwater discharges* from the site; and
 - 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*; and
 - c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, NYSDEC, or other regulatory authority; and
 - d. to document the final construction conditions in an as-built drawing.
6. NYSDEC 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 must 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 NYSDEC, the *owner or operator* must make the required changes to the *SWPPP* and submit written notification to NYSDEC that the changes have been made. If the *owner or operator* does not respond to NYSDEC's comments in the specified time frame, NYSDEC 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.
7. 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

Part III.A.7.

contractor(s) and subcontractor(s) that will be responsible for constructing the SMPs included in the *SWPPP*. The *owner or operator* must have each of the contractors and subcontractors identify at least one person from their company to be *trained contractor* that will be responsible for implementation of the *SWPPP*. The *owner or operator* must ensure that at least one *trained contractor* is on site daily when soil disturbance activities are being performed.

The *owner or operator* must have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before the *commencement of construction activities*:

"I hereby certify under penalty of law that I understand and agree to comply with the requirements 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 requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) 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* must 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 the *commencement of construction activities*, they must also sign the certification statement and provide the information listed above prior to performing *construction activities*.

B. Required SWPPP Contents

1. Erosion and sediment control component - The *owner or operator* must prepare a *SWPPP* that includes erosion and sediment control practices.
 - a. Erosion and sediment control practices must be designed:
 - i. in conformance with the BB; or
 - ii. *equivalent* to the BB if deviating from Part III.B.1.a.i.
 - b. If the erosion and sediment control practices are designed in conformance with Part III.B.1.a.ii., the *SWPPP* must include a demonstration of *equivalence* to the BB.
 - c. At a minimum, the erosion and sediment control component of the *SWPPP* must include the following:
 - i. Background information about the scope of the project, including the location, type and size of project; and
 - ii. A site map/construction drawing(s) with north arrows for the project, including a general location map. At a minimum, the site map must 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)* and receiving surface water(s); and
 - iii. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG); and
 - iv. A phasing plan for the project and sequencing plans for all *phases*, both of which must address clearing and grubbing, excavation and grading, utility and infrastructure installation, *final stabilization*,

Part III.B.1.c.iv.

and any other *construction activity* at the site that will result in soil disturbance.

1. The phasing plan must include:

- a. a map delineating and labeling the limits of soil disturbance for all *phases* of a project; and
- b. a table identifying the order and intended schedule of when each *phase* will begin and end its sequencing plan. The table must identify the total disturbed area for each *phase* at any one time and the total disturbed area for the overall project at any one time all on one timeline showing all overlapping quantities of disturbed area at any one time; and

2. A sequencing plan for a specific *phase* must include:

- a. a table indicating the order and intended schedule of *construction activities* within a *phase*, and corresponding construction drawings with a description of the work to be performed; and
- b. all permanent and *temporary stabilization* measures; and
- v. 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; and
- vi. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice; and
- vii. 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

Part III.B.1.c.vii.

temporary sediment basins and structural practices that will be used to divert flows from exposed soils; and

- viii. A maintenance inspection schedule for the contractor(s) and subcontractor(s) identified in Part III.A.7. to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule must be in accordance with the requirements in the BB technical standard; and
- ix. 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*; and
- x. 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
- xi. Identification of any elements of the design that are not in conformance with the design criteria in the BB technical standard. 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. SMP component – The *owner or operator of construction activity* identified in Table 2 of Appendix B must prepare a *SWPPP* that includes SMPs.

- a. SMPs must be designed in conformance with the applicable *sizing criteria* in Part II.C.2.a., c., or d.; and
- b. SMPs must be designed in conformance with the *performance criteria*:
 - i. in the DM; or
 - ii. *equivalent* to the DM if deviating from Part III.B.2.b.i.; or
 - iii. in the New York State Stormwater Management Design Manual, dated January 2015 (2015 Design Manual), or *equivalent* to it, if the following criteria are met:

Part III.B.2.b.iii.1.

1. The eNOI is submitted in accordance with Part I.D. before January 29, 2027 for *construction activities* that are either:
 - a. subject to governmental review and approval:
 - i. where the *owner or operator* made any application to that governmental entity prior to the effective date of this permit; and
 - ii. such application included a *SWPPP* developed using the 2015 Design Manual or *equivalent* to it; or
 - b. not subject to governmental review and approval:
 - i. where a fiscal allocation for the *construction activities* has been developed and approved by a governmental entity; and
 - ii. the *SWPPP* was developed using the 2015 Design Manual or *equivalent* to it; and
- c. If SMPs are designed in conformance with Part III.B.2.b.ii., the *SWPPP* must include the reason(s) for the deviation or alternative design and a demonstration of *equivalence* to the DM; and
- d. If SMPs are designed in conformance with Part III.B.2.b.iii., the *SWPPP* must include supporting information or documentation demonstrating that Part III.B.2.b.iii.1.a. or b. apply; and
- e. The SMP component of the *SWPPP* must include the following:
 - i. Identification of all SMPs to be constructed as part of the project, including which option the SMP designs conform to, either Part III.B.2.b.i., ii., or iii. Include the dimensions, material specifications and installation details for each SMP; and
 - ii. A site map/construction drawing(s) showing the specific location and size of each SMP; and

Part III.B.2.e.iii.

- iii. 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; and
 - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and SMPs; and
 - (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; and
 - (iv) Summary table, with supporting calculations, which demonstrates that each SMP has been designed in conformance with the *sizing criteria* included in the DM; and
 - (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part II.C.; and
 - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the DM. 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 DM.
- iv. Soil testing results and locations (test pits, borings); and
- v. Infiltration test results, when required in accordance with Part III.B.2.a.; and
- vi. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each SMP. The plan must identify the entity

Part III.B.2.e.vi.

that will be responsible for the long-term operation and maintenance of each practice; and

3. Enhanced Phosphorus Removal Standards - The *owner or operator of construction activity* identified in Table 2 of Appendix B that is located in a watershed identified in Appendix C must prepare a *SWPPP* that includes SMPs designed in conformance with the applicable *sizing criteria* in Part II.C.2.b., c., or d. and the *performance criteria* Enhanced Phosphorus Removal Standards included in the DM. At a minimum, the SMP component of the *SWPPP* must meet the requirements of Part III.B.2.

C. Required SWPPP Components by Project Type

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 accordance with Part III.B.1. *Owners or operators* of the *construction activities*, identified in Table 2 of Appendix B, must prepare a *SWPPP* that also includes SMPs designed in accordance with Part III.B.2 or 3.

For the entire area of disturbance, including the entire *common plan of development or sale* if applicable, the owner or operator must evaluate every bullet from Appendix B Table 1 and Table 2 separately. If bullets from both Table 1 and Table 2 apply, the *SWPPP* must include erosion and sediment control practices for all *construction activities* but SMPs for only those portions of the *construction activities* that fall under Table 2 bullet(s).

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 SMPs identified in the *SWPPP*, are inspected and maintained in accordance with Part IV.B. and C.

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity*, identified in Tables 1 and 2 of Appendix B, must have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being

Part IV.B.1.

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 must:

- a. if the corrective action does not require engineering design:
 - i. begin implementing corrective actions within one business day; and
 - ii. complete the corrective actions within five business days; or
- b. if the corrective action requires engineering design:
 - i. begin the engineering design process within five business days; and
 - ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

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 in accordance with Part IV.B.1. The *trained contractor* must begin conducting the maintenance inspections in accordance with Part IV.B.1. 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 in accordance with Part IV.B.1. if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational.

C. *Qualified Inspector* Inspection Requirements

1. With the exception of the following *construction activities* identified in Tables 1 and 2 of Appendix B, a *qualified inspector* must conduct site inspections for all other *construction activities* identified in Tables 1 and 2 of Appendix B:
 - 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 or equal to five (5) acres and is

Part IV.C.1.a.

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 D; and

- b. the construction of a single-family home that involves soil disturbances of one (1) or more acres but less than or equal to 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 D; and
- c. construction on *agricultural property* that involves soil disturbances of one (1) or more acres but less than five (5) acres; and
- d. *construction activities* located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances of 5,000 square feet or more, but less than one acre.

2. The *qualified inspector* must conduct site inspections in accordance with the following timetable:
 - a. For *construction sites* where soil disturbance activities are on-going, the *qualified inspector* must conduct a site inspection at least once every seven (7) calendar days; or
 - b. For *construction sites* where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part I.E.6. to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days; or
 - 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* must conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas under the jurisdiction of a *Traditional Land Use Control MS4 Operator*, the *Traditional Land Use Control MS4 Operator* (provided the *Traditional Land Use Control MS4 Operator* is not the *owner or operator* of the *construction activity*) by hard copy or email prior to reducing the inspections to this frequency and again by hard copy or email prior to re-commencing construction; or

Part IV.C.2.d.

- d. For *construction sites* where soil disturbance activities have been shut down with partial project completion, the requirement to have the *qualified inspector* conduct inspections ceases if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1., the *Traditional Land Use Control MS4 Operator(s)* (provided the *Traditional Land Use Control MS4 Operator(s)* are not the *owners or operators* of the *construction activity*) in writing prior to the shutdown and again in writing prior to resuming *construction activity*. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* must terminate coverage by meeting the requirements of Part V; or
- e. For *construction sites* involving soil disturbance of one (1) or more acres that *directly discharge* to one of the 303(d) segments listed in Appendix D or is located in one of the watersheds listed in Appendix C, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* must inspect:

- a. all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness; and
- b. all SMPs under construction to ensure that they are constructed in conformance with the *SWPPP*; and
- c. all areas of disturbance that have not achieved *final stabilization*; and
- d. all points of *discharge* to *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site*; and
- e. all points of *discharge* from the *construction site*.

Part IV.C.4.

4. The *qualified inspector* must prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report must include and/or address all of the following, for all *construction activities* except those listed in Part IV.C.1.:
 - a. Permit identification number; and
 - b. Date and time of inspection; and
 - c. Name and title of person(s) performing inspection; and
 - d. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection, including the temperature at the time of the inspection; and
 - e. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This must 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; and
 - f. A description of the condition of all *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This must include identification of any *discharges* of sediment to the *surface waters of the State*; and
 - g. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance; and
 - h. 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; and
 - i. Description and sketch (map) 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; and
 - j. Estimates, in square feet or acres, of the following areas:

Part IV.C.4.j.i.

- i. Total area with active soil disturbance (not requiring either *temporary stabilization* or *final stabilization*); and
- ii. Total area with inactive soil disturbance (requiring either *temporary stabilization* or *final stabilization*); and
- iii. Total area that has achieved *temporary stabilization*; and
- iv. Total area that has achieved *final stabilization*; and

- k. Current stage of construction of all SMPs and identification of all *construction activity* on site that is not in conformance with the *SWPPP* and technical standards; and
- l. 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 SMP(s); and
- m. Identification and status of all corrective actions that were required by previous inspection; and
- n. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* must attach 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* must 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* must 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* must notify the *owner or operator*, and appropriate contractor or subcontractor identified in Part III.A.7., of any corrective actions that need to be taken. The contractor or subcontractor must:
 - a. if the corrective action does not require engineering design:

Part IV.C.5.a.i.

- i. begin implementing corrective actions within one business day; and
- ii. complete the corrective actions within five business days; or

b. if the corrective action requires engineering design:

- i. begin the engineering design process within five business days; and
- ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

6. All inspection reports must be signed by the *qualified inspector*. In accordance with Part I.E.3., the inspection reports must be maintained on site with the *SWPPP*.

Part V. How to Terminate CGP Coverage

A. Electronic Notice of Termination (eNOT) Submittal

The eNOT contains questions to ensure requirements in Part V.A. have been met.

1. An *owner or operator* must terminate coverage when one or more of the following requirements have been met:
 - a. Total project completion:
 - i. all *construction activity* identified in the *SWPPP* has been completed; and
 - ii. all areas of disturbance have achieved *final stabilization*; and
 - iii. all temporary, structural erosion and sediment control measures have been removed; and
 - iv. all SMPs have been constructed in conformance with the *SWPPP* and are operational; and
 - v. an as-built drawing has been prepared; or

Part V.A.1.b.

- b. Planned shutdown with partial project completion:
 - i. all soil disturbance activities have ceased; and
 - ii. all areas disturbed as of the project shutdown date have achieved *final stabilization*; and
 - iii. all temporary, structural erosion and sediment control measures have been removed; and
 - iv. all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational; and
 - v. an as-built drawing has been prepared; or
- c. In accordance with Part I.G. Change of Owner or Operator; or
- d. The *owner or operator* has obtained coverage under an alternative general SPDES permit or an individual SPDES permit.

2. For *construction activities* that require *qualified inspector* inspections in accordance with Part IV.C.1. and have met Part V.A.1.a. or b., the *owner or operator* must have the *qualified inspector* perform a final site inspection prior to submitting the eNOT. The *qualified inspector* must, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice(s)" certification statements on the eNOT, certify that all the requirements in Part V.A.1.a. or b. have been achieved.
3. For *construction activities* that are subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1. and meet Part V.A.1.a. or b., the *owner or operator* must have the *Traditional Land Use Control MS4 Operator(s)* sign the "MS4 Acceptance" statement on the eNOT in accordance with the requirements in Part VII.J. A *Traditional Land Use Control MS4 Operator* official, by signing this statement, determined that it is acceptable for the *owner or operator* to submit the eNOT in accordance with the requirements of this Part. A *Traditional Land Use Control MS4 Operator* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector's* final site inspection certification(s) when required in Part V.A.2.

Part V.A.4.

4. For *construction activities* that require SMPs and meet Part V.A.1.a. or b., the *owner or operator* must, prior to submitting the eNOT, ensure one of the following:
 - a. for SMP(s) that were constructed by a private entity, but will be owned, operated, and maintained by a public entity, the SMP(s) and any right-of-way(s) needed to operate and maintain such practice(s) have been deeded to the municipality in which the practice(s) is located; or
 - b. for SMP(s) that are privately owned, but will be operated and maintained by a public entity, an executed operation and maintenance agreement is in place with the municipality that will operate and maintain the SMP(s); or
 - c. for SMP(s) 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; or
 - d. for SMP(s) 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 policies and procedures in place that ensure operation and maintenance of the practices in accordance with the operation and maintenance plan.
5. An *owner or operator* that has met the requirements of Part V.A.1., 2., 3., and 4. must request termination of coverage under this permit by submitting a complete Notice of Termination form electronically using a NYSDEC approved form.⁵
 - a. The owner's or operator's coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.

⁵ Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

Part VI.

Part VI. Record Retention and Reporting

A. Record Retention

The *owner or operator* must retain a copy of the documents listed in Part I.E.3. and a copy of the LOT for a period of at least five years from the date that NYSDEC accepts a complete NOT submitted in accordance with Part V.

B. Reporting

Except for the eNOI, the signature forms associated with the eNOI, and the eNOT, all other written correspondence requested by NYSDEC, including individual permit applications, must be sent to the address of the appropriate DOW (SPDES) Program contact at the Regional Office listed in Appendix E.

Part VII. Standard Permit Requirements

For the purposes of this permit, examples of contractors and subcontractors include: third-party maintenance and construction contractors.

A. Duty to Comply

The *owner or operator*, and all contractors or subcontractors, must comply with all requirements of this permit. Any non-compliance with the requirements of this permit constitutes a violation of the New York State Environmental Conservation Law (ECL), and its implementing regulations, and is grounds for enforcement action. Filing of a request for termination of coverage under this permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any requirements of this permit.

B. Need to Halt or Reduce Activity Not a Defense

The necessity to halt or reduce the *construction activity* regulated by this permit, in order to maintain compliance with the requirements of this permit, must not be a defense in an enforcement action.

C. Penalties

There are substantial criminal, civil, and administrative penalties associated with violating the requirements of this permit. Fines of up to \$37,500 per day for each

Part VII.C.

violation and imprisonment for up to 15 years may be assessed depending upon the nature and degree of the offense.

D. False Statements

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 monitoring reports or reports of compliance or noncompliance must, upon conviction, be punished in accordance with ECL §71-1933 and or New York State Penal Law Articles 175 and 210.

E. Re-Opener Clause

Upon issuance of this permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified permit requirements will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the requirements of this permit notwithstanding, if operation pursuant to this permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if NYSDEC determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water quality standards* or compliance with other provisions of ECL Article 17 or the Clean Water Act (CWA), or any regulations adopted pursuant thereto, NYSDEC may require such modification and the Commissioner may require abatement action to be taken by the *owner or operator* and may also prohibit such operation until the modification has been implemented.

F. Duty to Mitigate

The *owner or operator*, and its contractors and subcontractors, must 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.

G. Requiring Another General Permit or Individual SPDES Permit

NYSDEC may require any *owner or operator* authorized to *discharge* in accordance with this permit to apply for and obtain an individual SPDES permit or apply for authorization to *discharge* in accordance with another general SPDES permit.

1. Cases where an individual SPDES permit or authorization to discharge in accordance with another general SPDES permit may be required include, but is not limited to the following:

Part VII.G.1.a.

- a. the *owner or operator* is not in compliance with the conditions of this permit or does not meet the requirements for coverage under this permit; and
- b. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the *point source*; and
- c. new effluent limitation guidelines or new source performance standards are promulgated that are applicable to *point sources* authorized to *discharge* in accordance with this permit; and
- d. existing effluent limitation guidelines or new source performance standards that are applicable to *point sources* authorized to *discharge* in accordance with this permit are modified; and
- e. a water quality management plan containing requirements applicable to such *point sources* is approved by NYSDEC; and
- f. circumstances have changed since the time of the request to be covered so that the *owner or operator* is no longer appropriately controlled under this permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary; and
- g. the *discharge* is in violation of section 17-0501 of the ECL; and
- h. the *discharge(s)* is a significant contributor of *pollutants*. In making this determination, NYSDEC may consider the following factors:
 - i. the location of the *discharge(s)* with respect to *surface waters of the State*; and
 - ii. the size of the *discharge(s)*; and
 - iii. the quantity and nature of the *pollutants discharged to surface waters of the State*; and
 - iv. other relevant factors including compliance with other provisions of ECL Article 17, or the CWA.

2. When NYSDEC requires any *owner or operator* authorized by this permit to apply for an individual SPDES permit as provided for in this subdivision, it must notify the *owner or operator* in writing that a permit application is required. This notice must include a brief statement of the reasons for this decision, an application

Part VII.G.2.

form, a statement setting a time for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from the *owner's or operator's* receipt of the notification letter, whereby the authorization to *discharge* under this permit must be terminated. NYSDEC may grant additional time upon demonstration, to the satisfaction of the RWE,⁶ that additional time to apply for an alternative authorization is necessary or where NYSDEC has not provided a permit determination in accordance with 6 NYCRR Part 621.

3. When an individual SPDES permit is issued to an *owner or operator* authorized to *discharge* under this permit for the same *discharge(s)*, this permit authorization for *construction activities* authorized under the individual SPDES permit is automatically terminated on the effective date of the individual SPDES permit unless termination is earlier in accordance with 6 NYCRR Part 750.

H. Duty to Provide Information

The *owner or operator* must furnish to NYSDEC, within five business days, unless otherwise set forth by NYSDEC, any information that NYSDEC may request to determine whether cause exists to determine compliance with this permit or to determine whether cause exists for requiring an individual SPDES permit in accordance with 6 NYCRR 750-1.21(e) (see Part VII.G. Requiring Another General Permit or Individual Permit).

The *owner or operator* must make available to NYSDEC, for inspection and copying, or furnish to NYSDEC within 25 business days of receipt of a NYSDEC request for such information, any information retained in accordance with this permit.

Except for Part I.D.4. and 5. and Part I.G., the following applies: where the *owner or operator* becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to NYSDEC, the *owner or operator* must submit such facts or corrected information to NYSDEC within five business days.

I. Extension

In the event a new permit is not issued and effective prior to the expiration of this permit, and this permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the requirements of this permit until a new permit is issued and effective.

⁶ The Regional Water Manager where a DEC Region does not have a RWE.

J. Signatories and Certification

The Notice of Intent, Notice of Termination, and reports required by this permit must be signed as provided in 40 CFR §122.22.

1. All Notices of Intent and Notices of Termination must be signed as follows:
 - a. For a corporation. 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 Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

Note: NYSDEC does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). NYSDEC will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified NYSDEC to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.

- b. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively.

Part VII.J.1.c.

- c. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
 1. the chief executive officer of the agency; or
 2. 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. All reports required by this permit, and other information requested by NYSDEC, must be signed by a person described in Part VII.J.1., 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.J.1. or using the Duly Authorized Form, found on the DEC website; and
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, 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 is submitted to NYSDEC.
3. Changes to authorization. If an authorization under Part VII.J.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the *construction activity*, a new authorization satisfying the requirements of Part VII.J.2. must be submitted to NYSDEC prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under Part VII.J.1. or 2. must make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who

Part VII.J.4.

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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

5. Electronic reporting. If documents described in Part VII.J.1. or 2. are submitted electronically by or on behalf of the *construction activity* with coverage under this permit, any person providing the electronic signature for such documents must meet all relevant requirements of this section, and must ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

K. Inspection and Entry

The *owner or operator* must allow NYSDEC, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, 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 requirements of this permit; and
2. have access to and copy at reasonable times, any records that must be kept under the requirements of this permit, including records required to be maintained for purposes of operation and maintenance; and
3. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and
4. sample or monitor at reasonable times, for the purposes of assuring general SPDES permit compliance or as otherwise authorized by the CWA or ECL, any substances or parameters at any location; and
5. enter upon the property of any contributor to the regulated facility or activity under authority of the *owner or operator*.

L. Confidentiality of Information

The following must not be held confidential: this permit, the fact sheet for this permit, the name and address of any *owner or operator*, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general SPDES permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the *owner or operator*, NYSDEC must make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status must be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, NYSDEC will notify the Regional Administrator of the confidential status of such information.

M. Other Permits May Be Required

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

N. NYSDEC Orders or Civil Decrees/Judgments

The issuance of this permit by the NYSDEC, and the coverage under this permit by the *owner or operator*, does not supersede, revoke, or rescind any existing order on consent or civil Decree/Judgment, or modification to any such documents or to any order issued by the Commissioner, or any of the terms, conditions, or requirements contained in such order or modification therefore, unless expressly noted.

O. Property Rights

Coverage under this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

P. Compliance with Interstate Standards

If the *construction activity* covered by this permit originates within the jurisdiction of an interstate water pollution control agency, then the *construction activity* must also comply with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this permit for such *construction activities*.

Q. Oil and Hazardous Substance Liability

Coverage under this permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the *owner or operator* under section 311 of the CWA, which must be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the CWA to *discharges* from facilities with *NPDES* permits, nor must such issuance preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties to which the *owner or operator* is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

R. 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, must not be affected thereby.

S. NYSDEC Approved Forms

The *owner or operator* must provide all relevant information that is requested by NYSDEC, and required by this permit, on all NYSDEC approved forms.

APPENDIX A – Abbreviations and Definitions

Abbreviations

APO – Agency Preservation Officer
BB – New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November 2016
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)
DM – New York State Stormwater Management Design Manual (Design Manual), dated July 31, 2024
DOW – Division of Water
EAF – Environmental Assessment Form
ECL – chapter 43-B of the Consolidated Laws of the State of New York, entitled the 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
NYC – The City of New York
NYCDEP – The City of New York Department of Environmental Protection
NYSDEC – The New York State Department of Environmental Conservation
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RR – Runoff Reduction
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SMP – Post-Construction Stormwater Management Practice
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. If a word is not italicized in the permit, use its common definition.

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 – the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023).

Alter Hydrology from Pre- to Post-Development Conditions – 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 System – a sewer system which conveys sewage and *stormwater* through a single pipe system to a publicly owned treatment works.

Commence (Commencement of) Construction Activities – 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.

Common Plan of Development or Sale – a contiguous area where multiple separate and distinct *construction activities* are occurring, or may occur, under one plan. The “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 (SEQR) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating *construction activities* may occur on a specific plot. A *common plan of development or sale* is comprised of two or more *phases*.

Common plan of development or sale does not include separate and distinct *construction activities* that are occurring, or may occur, under one plan that are at least 1/4 mile apart provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

Construction Activity(ies) – identified within 40 CFR 122.26(b)(14)(x), 122.26(b)(15)(i), and 122.26(b)(15)(ii), any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, mechanized 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, which is excluded from the calculation of the soil disturbance for a project. Routine maintenance includes, but is not limited to:

- Re-grading of gravel roads or parking lots; and
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of the ditch; and
- Replacement of existing culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of a ditch; and
- Replacement of existing bridges that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity beneath the bridges; and
- 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); and
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*; and
- 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; and
- Long-term use of equipment storage areas at or near highway maintenance facilities; and
- 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*; and
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts; and
- Maintenance of ski trails including brush hog use and mowing; and
- Above ground snowmaking pipe replacement; and
- Replacement of existing utility poles; etc.

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

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

Directly Discharge(s)(ing) (to a specific surface waterbody) – 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)(d) – any addition of any *pollutant* to waters of the State through an outlet or *point source*.

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

Equivalent (Equivalence) – 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 – 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.

Historic Property – 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) – all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and compacted gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – not technologically possible, or not economically practicable and achievable considering best industry practices.

Minimize(ing)(ation) – 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 System (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):

Appendix A

1. owned or operated by a State, city, town, village, 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*; and
2. designed or used for collecting or conveying *stormwater*; and
3. which is not a *combined sewer system*; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

New Development – 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.

Nonpoint Source(s) – 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 – flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator – 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 requirements.

Appendix A

Performance Criteria – the six performance criteria for each group of SMPs in Chapters 5 and 6 of the technical standard, New York State Stormwater Management Design Manual (DM), dated July 31, 2024. These include feasibility, conveyance, pretreatment, treatment, landscaping, and maintenance. It does not include the *Sizing Criteria* (i.e. WQv, RRv, CPv, Qp and Qf) in Part I.C.2. of the permit.

Phase – a defined area in which *construction activities* are occurring or will occur separate from other defined area(s).

Point Source – 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(s) – 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 – 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 NYSDEC 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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 SMPs that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Appendix A

Qualified Professional – 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 NYSDEC endorsed individual(s). Individuals preparing *SWPPPs* that require the SMP 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) – 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.).

Renewable Energy – electricity or thermal energy generated by renewable energy systems through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

Site Limitations – 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 – the criteria included in Part I.C.2 of the permit that are used to size SMPs. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

Steep Slope – land area designated on the current United States Department of Agriculture (USDA) Soil Survey as Soil Slope Phase D, (provided the map unit name or description 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.

Stormwater – that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the State.

Appendix A

Streambank – 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) – 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 SMPs); and identifies procedures the *owner or operator* will implement to comply with the requirements 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 – an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization – 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 Load (TMDL) – 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 and still meet *water quality standards*, and an allocation of that amount to the *pollutant's sources*. A TMDL stipulates Waste Load Allocations (WLA) for *point source discharges*, Load Allocations (LA) for *nonpoint sources*, and a margin of safety (MOS).

Traditional Land Use Control MS4 Operator – 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).

Trained Contractor – an employee from the contracting (construction) company, identified in Part III.A.7., that has received four (4) hours of NYSDEC endorsed training

Appendix A

in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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.7., 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity).

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

Tree Clearing – *construction activities* limited to felling and removal of trees.

Tree clearing does not include hand felling and leaving the trees in place with no support from mechanized equipment, which is not considered *construction activity* requiring coverage under this permit.

Water Quality Standard – 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**

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single-family home 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 D
- Single-family residential subdivisions with 25% or less *impervious cover* at total site build-out and 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 D
- Construction of a barn or other *agricultural building*, silo, stock yard or pen.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that include construction or reconstruction of *impervious area* or alter hydrology from pre- to post-development conditions.

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

- All construction activities located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Within the municipal boundaries of NYC:

- Stand-alone road reconstruction, where the total soil disturbance from only that road construction, is less than one (1) acre of land.

The following construction activities:

- Installation of underground linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation, *stormwater* retrofits, stream restoration, and resiliency projects that reconstruct shoreline areas to address sea level rise
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an *impervious cover*
- Cross-country ski trails, walking/hiking trails, and mountain biking trails, including a de minimis parking lot (maximum 10 spaces total, sized for passenger cars) with 35 feet minimum preservation of undisturbed area downgradient from the parking lot
- Dam rehabilitation (the structure of the dam itself)
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are not part of residential, commercial, or institutional development;
- Sidewalks, bike paths, or walking paths, 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.

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

The following construction activities:

- Slope stabilization
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Vegetated open space (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) that do not *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 where vegetation will be established, and no *redevelopment activity* is planned¹
- Installation or replacement of either an overhead electric transmission line or a ski lift tower that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*.
- Solar array field areas that have tables elevated off the ground, spaced one table width apart, do not *alter hydrology from pre- to post-development conditions*, and address water quality volume and runoff reduction volume by maintaining sheet flow on slopes less than 8%.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that do not include construction or reconstruction of *impervious area* and do not *alter hydrology from pre- to post-development conditions*
- 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 (in this context, “temporary” means the *impervious area* will be in place for two years or less)
- Other *construction activities* that do not include the construction or reconstruction of *impervious area*, and do not *alter hydrology from pre- to post-development conditions*, and are not listed in Table 2.

1. If the site is redeveloped in the future, a new eNOI must be submitted.

Table 2**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES (SMPs)****The following construction activities:**

- 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 D
- 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 D
- 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 between 20,000 square feet and one (1) acre of land within the municipal boundaries of NYC 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 *common plan of development or sale* that will ultimately disturb five (5) or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Creation of 5,000 square feet or more of *impervious area* in the municipal boundaries of NYC
- 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) that involves soil disturbance greater than five acres.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that involves soil disturbance greater than five acres and include the construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.
- Facility buildings, including ski lodges, restroom buildings, pumphouses, ski lift terminals, and maintenance and groomer garages
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills; including creation of landfills or capping landfills.
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs, water treatment plants, and water storage tanks
- Golf courses
- Office complexes

Table 2 (Continued)**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES (SMPs)****The following *construction activities*:**

- Permanent laydown yards and equipment storage lots
- Playgrounds that include the construction or reconstruction of *impervious area*
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surfaces
- Road construction or reconstruction, outside the municipal boundaries of NYC
- Road construction within the municipal boundaries of NYC
- Stand-alone road reconstruction, within the municipal boundaries of NYC where the total soil disturbance from that road reconstruction involves soil disturbance of one (1) acre or more of land
- Parking lot construction or reconstruction (as with all Table 2 bullets, this includes parking lots constructed as part of the *construction activities* listed in Table 1, unless a Table 1 bullet specifies otherwise)
- 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 overhead electric transmission line, wind-power, cell tower, oil or gas well drilling, sewer or water main, ski lift, or other linear utility project
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of a residential, commercial or institutional development
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of highway construction or reconstruction
- Solar array field areas on slopes greater than 8% that cannot maintain sheet flow using management practices identified in the BB or the DM
- Solar array field areas on slopes less than 8% that will *alter the hydrology from pre- to post-development* conditions
- Solar array field areas with tables that are not elevated high enough to achieve *final stabilization* beneath the tables
- Traditional *impervious areas* associated with solar development (e.g. roads, buildings, transformers)
- Utility pads surfaced with *impervious cover*, including electric vehicle charging stations
- 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 SMPs designed in conformance with the Enhanced Phosphorus Removal Standards included in the DM technical standard.

- 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

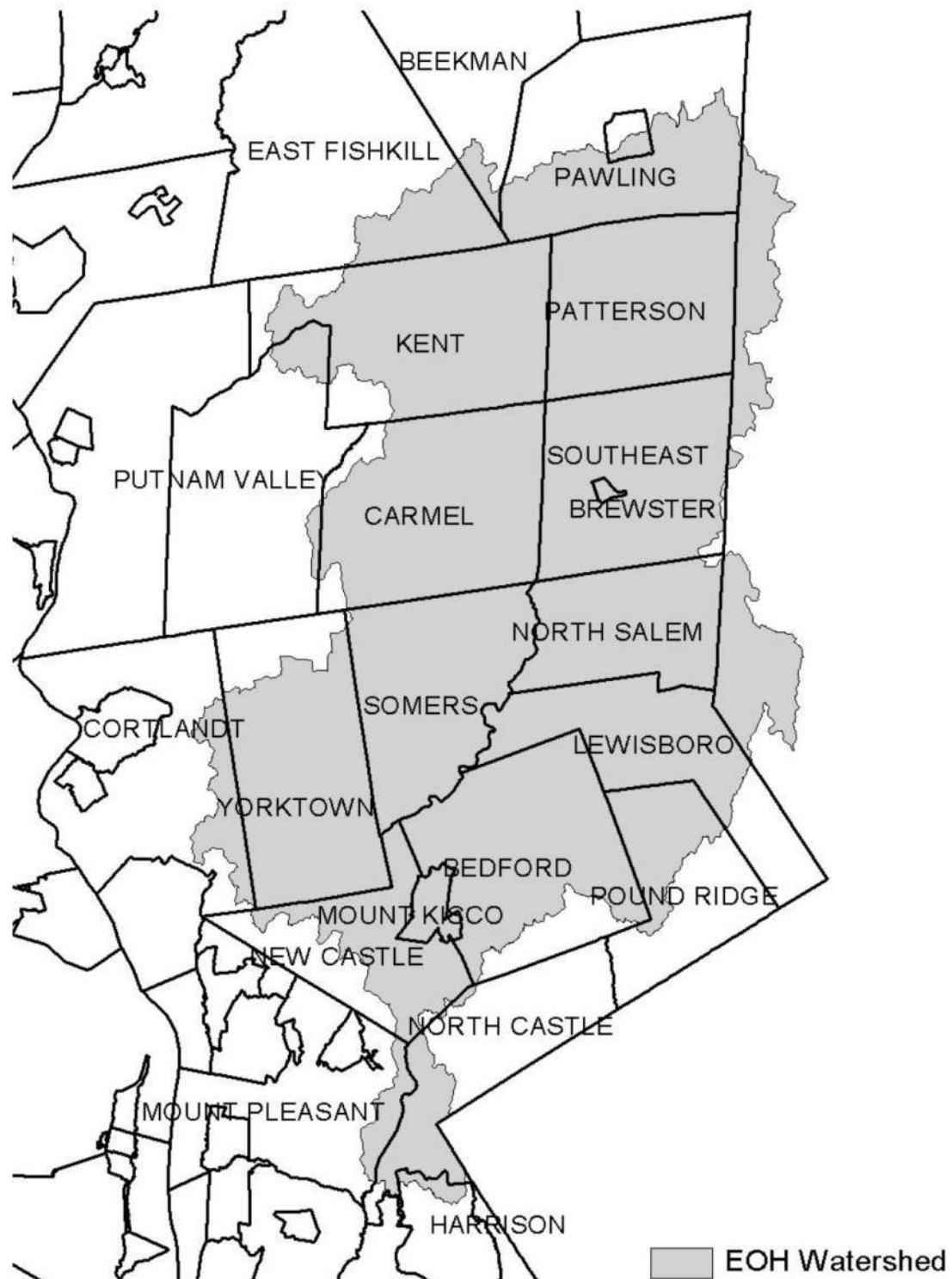


Figure 2 - Onondaga Lake Watershed



Figure 3 - Greenwood Lake Watershed

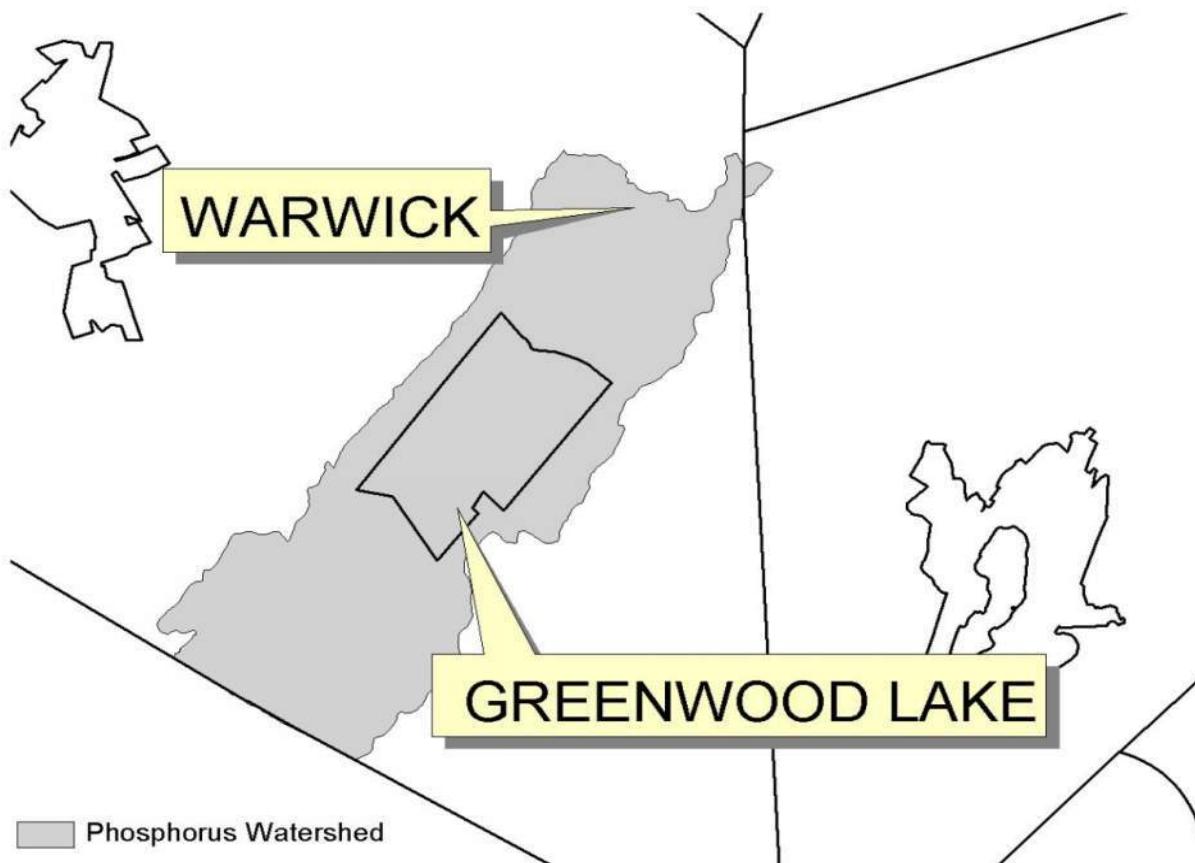


Figure 4 - Oscawana Lake Watershed

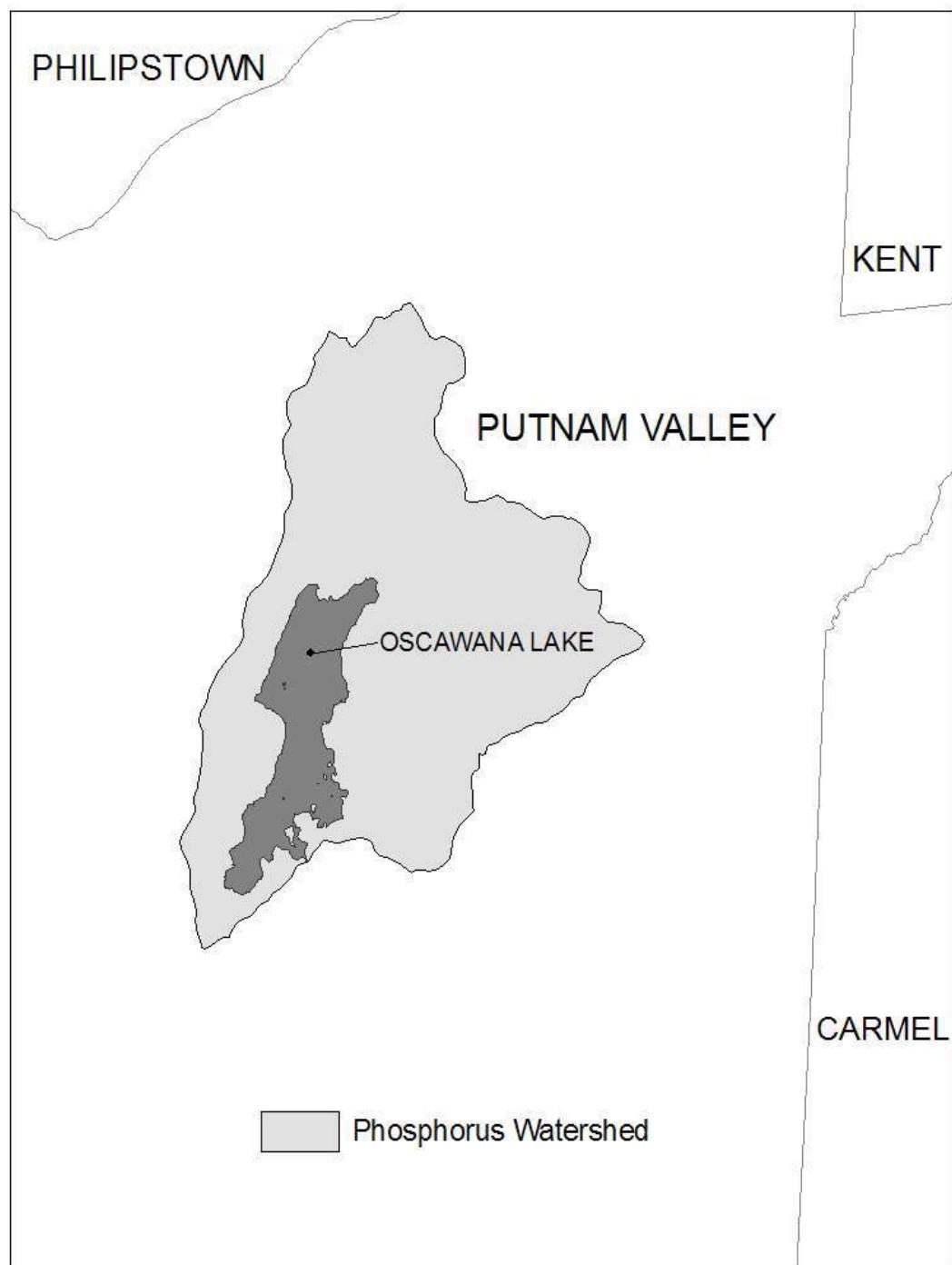
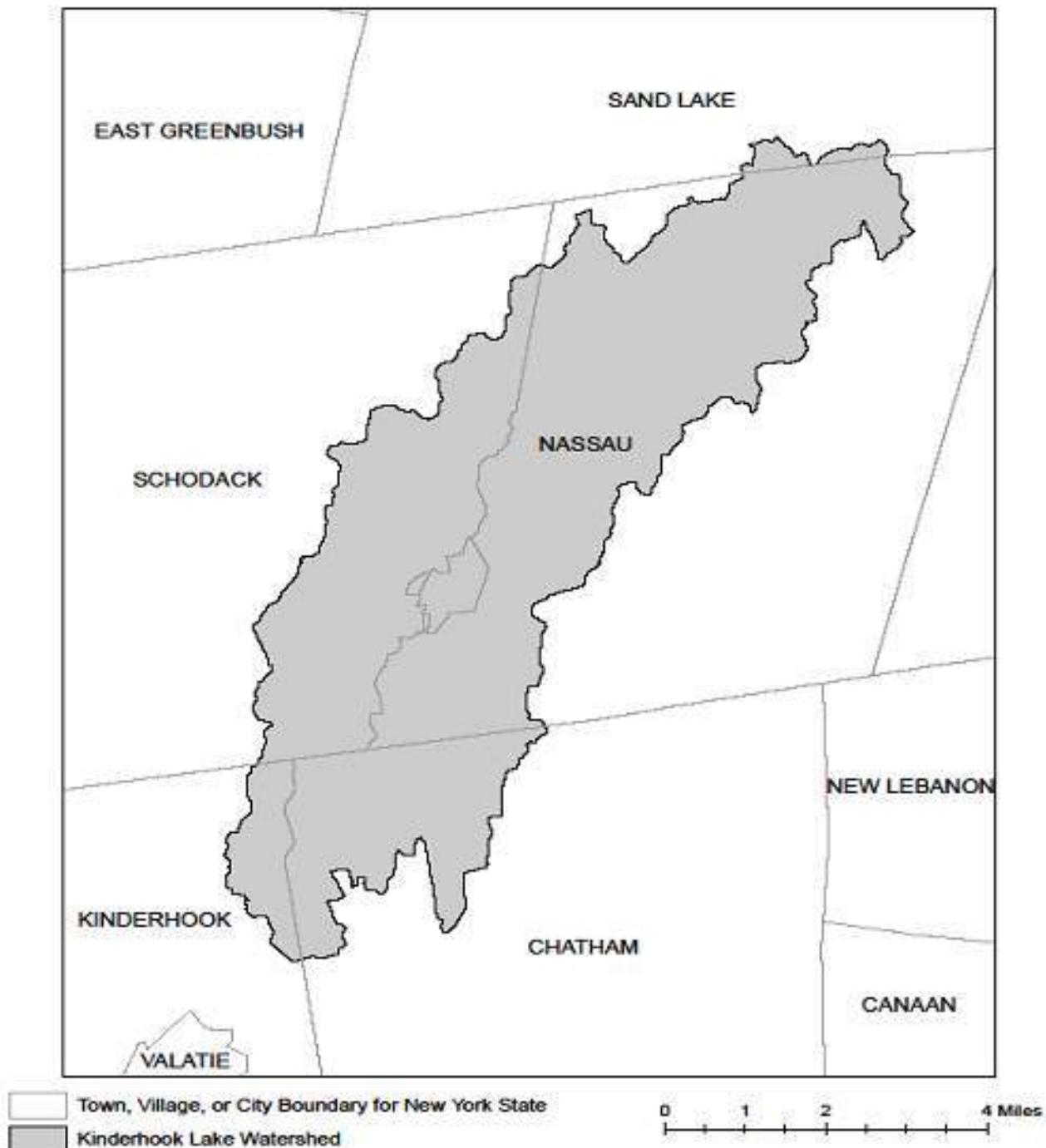


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants)

List of waterbodies impaired by *pollutants* related to *construction activity*, including turbidity, silt/sediment, and nutrients (e.g. nitrogen, phosphorus). This list is a subset of “The Final New York State 2018 Section 303(d) List of Impaired Waters Requiring a TMDL” dated June 2020.

County	Waterbody	Pollutant
Albany	Ann Lee (Shakers) Pond, Stump Pond (1201-0096)	Phosphorus
Albany	Lawsons Lake (1301-0235)	Phosphorus
Allegany	Amity Lake, Saunders Pond (0403-0054)	Phosphorus
Allegany	Andover Pond (0403-0056)	Phosphorus
Bronx	Reservoir No.1/Lake Isle (1702-0075)	Phosphorus
Bronx	Van Cortlandt Lake (1702-0008)	Phosphorus
Broome	Blueberry, Laurel Lakes (1404-0033)	Phosphorus
Broome	Fly Pond, Deer Lake (1404-0038)	Phosphorus
Broome	Minor Tribs to Lower Susquehanna (0603-0044)	Phosphorus
Broome	Whitney Point Lake/Reservoir (0602-0004)	Phosphorus
Cattaraugus	Allegheny River/Reservoir (0201-0023)	Phosphorus
Cattaraugus	Beaver Lake/Alma Pond (0201-0073)	Phosphorus
Cattaraugus	Case Lake (0201-0020)	Phosphorus
Cattaraugus	Linlyco/Club Pond (0201-0035)	Phosphorus
Cayuga	Duck Lake (0704-0025)	Phosphorus
Cayuga	Owasco Inlet, Upper, and tribs (0706-0014)	Nutrients
Chautauqua	Chadakoin River and tribs (0202-0018)	Phosphorus
Chautauqua	Hulbert/Clymer Pond (0202-0079)	Phosphorus
Chautauqua	Middle Cassadaga Lake (0202-0002)	Phosphorus
Clinton	Great Chazy River, Lower, Main Stem (1002-0001)	Silt/Sediment
Columbia	Robinson Pond (1308-0003)	Phosphorus
Cortland	Dean Pond (0602-0077)	Phosphorus
Dutchess	Fallkill Creek (1301-0087)	Phosphorus
Dutchess	Hillside Lake (1304-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Silt/Sediment
Erie	Beeman Creek and tribs (0102-0030)	Phosphorus
Erie	Delaware Park Pond (0101-0026)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Silt/Sediment
Erie	Green Lake (0101-0038)	Phosphorus
Erie	Little Sister Creek, Lower, and tribs (0104-0045)	Phosphorus
Erie	Murder Creek, Lower, and tribs (0102-0031)	Phosphorus

Erie	Rush Creek and trib (0104-0018)	Phosphorus
Erie	Scajaquada Creek, Lower, and trib (0101-0023)	Phosphorus
Erie	Scajaquada Creek, Middle, and trib (0101-0033)	Phosphorus
Erie	Scajaquada Creek, Upper, and trib (0101-0034)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and trib (0101-0036)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and trib (0101-0036)	Silt/Sediment
Genesee	Bigelow Creek and trib (0402-0016)	Phosphorus
Genesee	Black Creek, Middle, and minor trib (0402 0028)	Phosphorus
Genesee	Black Creek, Upper, and minor trib (0402-0048)	Phosphorus
Genesee	Bowen Brook and trib (0102-0036)	Phosphorus
Genesee	LeRoy Reservoir (0402-0003)	Phosphorus
Genesee	Mill Pond (0402-0050)	Phosphorus
Genesee	Oak Orchard Cr, Upper, and trib (0301-0014)	Phosphorus
Genesee	Oatka Creek, Middle, and minor trib (0402-0031)	Phosphorus
Genesee	Tonawanda Cr, Middle, Main Stem (0102-0002)	Phosphorus
Greene	Schoharie Reservoir (1202-0012)	Silt/Sediment
Greene	Sleepy Hollow Lake (1301-0059)	Silt/Sediment
Herkimer	Steele Creek trib (1201-0197)	Phosphorus
Herkimer	Steele Creek trib (1201-0197)	Silt/Sediment
Kings	Hendrix Creek (1701-0006) 18	Nitrogen
Kings	Prospect Park Lake (1701-0196)	Phosphorus
Lewis	Mill Creek/South Branch, and trib (0801-0200)	Nutrients
Livingston	Christie Creek and trib (0402-0060)	Phosphorus
Livingston	Conesus Lake (0402-0004)	Phosphorus
Livingston	Mill Creek and minor trib (0404-0011)	Silt/Sediment
Monroe	Black Creek, Lower, and minor trib (0402-0033)	Phosphorus
Monroe	Buck Pond (0301-0017)	Phosphorus
Monroe	Cranberry Pond (0301-0016)	Phosphorus
Monroe	Durand, Eastman Lakes (0302-0037)	Phosphorus
Monroe	Lake Ontario Shoreline, Western (0301-0069) 9	Phosphorus
Monroe	Long Pond (0301-0015)	Phosphorus
Monroe	Mill Creek and trib (0302-0025)	Phosphorus 2
Monroe	Mill Creek/Blue Pond Outlet and trib (0402-0049)	Phosphorus
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Phosphorus
Monroe	Rochester Embayment - East (0302-0002) [9]	Phosphorus
Monroe	Rochester Embayment - West (0301-0068) 9	Phosphorus
Monroe	Shipbuilders Creek and trib (0302-0026)	Phosphorus 2
Monroe	Thomas Creek/White Brook and trib (0302-0023)	Phosphorus

Nassau	Bannister Creek/Bay (1701-0380)	Nitrogen
Nassau	Beaver Lake (1702-0152)	Phosphorus
Nassau	Browswere Bay (1701-0383)	Nitrogen
Nassau	Camaans Pond (1701-0052)	Phosphorus
Nassau	East Meadow Brook, Upper, and trib (1701-0211)	Silt/Sediment
Nassau	East Rockaway Channel (1701-0381)	Nitrogen
Nassau	Glen Cove Creek, Lower, and trib (1702-0146)	Silt/Sediment
Nassau	Grant Park Pond (1701-0054)	Phosphorus
Nassau	Hempstead Bay, Broad Channel (1701-0032)	Nitrogen
Nassau	Hempstead Lake (1701-0015)	Phosphorus
Nassau	Hewlett Bay (1701-0382)	Nitrogen
Nassau	Hog Island Channel (1701-0220)	Nitrogen
Nassau	Massapequa Creek, Upper, and trib (1701-0174)	Phosphorus
Nassau	Milburn/Parsonage Creeks, Upp, and trib (1701-0212)	Phosphorus
Nassau	Reynolds Channel, East (1701-0215) [12]	Nitrogen
Nassau	Reynolds Channel, West (1701-0216) 12	Nitrogen
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Nitrogen
Nassau	Tribs (fresh) to East Bay (1701-0204)	Silt/Sediment
Nassau	Tribs (fresh) to East Bay (1701-0204)	Phosphorus
Nassau	Tribs to Smith Pond/Halls Pond (1701-0221)	Phosphorus
Nassau	Woodmere Channel (1701-0219)	Nitrogen
New York	Harlem Meer (1702-0103)	Phosphorus
New York	The Lake in Central Park (1702-0105)	Phosphorus
Niagara	Bergholtz Creek and trib (0101-0004)	Phosphorus
Niagara	Hyde Park Lake (0101-0030)	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0053) 9	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0072) 9	Phosphorus
Oneida	Ballou, Nail Creeks (1201-0203)	Phosphorus
Onondaga	Ley Creek and trib (0702-0001) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nitrogen (NH3, NO2)
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Nutrients (phosphorus)
Onondaga	Onondaga Creek, Lower, and trib (0702-0023)	Turbidity
Onondaga	Onondaga Creek, Middle, and trib (0702-0004)	Turbidity
Onondaga	Onondaga Creek, Upper, and trib (0702-0024)	Turbidity
Ontario	Great Brook and minor trib (0704-0034)	Phosphorus 2
Ontario	Great Brook and minor trib (0704-0034)	Silt/Sediment

Ontario	Hemlock Lake Outlet and minor trib (0402-0013)	Phosphorus
Ontario	Honeoye Lake (0402-0032)	Phosphorus
Orange	Brown Pond Reservoir (1303-0013)	Phosphorus
Orange	Lake Washington (1303-0012)	Phosphorus
Orange	Minor Tribs to Middle Wallkill (1306-0061)	Phosphorus
Orange	Monhagen Brook and trib (1306-0074)	Phosphorus
Orange	Orange Lake (1301-0008) [16]	Phosphorus
Orange	Quaker Creek and trib (1306-0025)	Phosphorus
Orange	Wallkill River, Middle, Main Stem (1306-0038)	Phosphorus
Orange	Wallkill River, Upper, and Minor trib (1306-0017)	Phosphorus
Orleans	Glenwood Lake (0301-0041)	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0070) 9	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0071) 9	Phosphorus
Oswego	Lake Neatahwanta (0701-0018)	Nutrients (phosphorus)
Oswego	Pleasant Lake (0703-0047)	Phosphorus
Putnam	Lost Lake, Putnam Lake (1302-0053)	Phosphorus
Putnam	Minor Tribs to Croton Falls Reservoir (1302-0001)	Phosphorus
Queens	Bergen Basin (1701-0009) 18	Nitrogen
Queens	Jamaica Bay, Eastern, and trib, Queens (1701-0005) 18	Nitrogen
Queens	Kissena Lake (1702-0258)	Phosphorus
Queens	Meadow Lake (1702-0030)	Phosphorus
Queens	Shellbank Basin (1701-0001) 18	Nitrogen
Queens	Willow Lake (1702-0031)	Phosphorus
Rensselaer	Nassau Lake (1310-0001)	Phosphorus
Rensselaer	Snyders Lake (1301-0043)	Phosphorus
Richmond	Grassmere Lake/Brady's Pond (1701-0357)	Phosphorus
Rockland	Congers Lake, Swartout Lake (1501-0019)	Phosphorus
Rockland	Rockland Lake (1501-0021)	Phosphorus
Saratoga	Ballston Lake (1101-0036)	Phosphorus
Saratoga	Dwaas Kill and trib (1101-0007)	Phosphorus
Saratoga	Dwaas Kill and trib (1101-0007)	Silt/Sediment
Saratoga	Lake Lonely (1101-0034)	Phosphorus
Saratoga	Round Lake (1101-0060)	Phosphorus
Saratoga	Tribs to Lake Lonely (1101-0001)	Phosphorus
Schenectady	Collins Lake (1201-0077)	Phosphorus
Schenectady	Duane Lake (1311-0006)	Phosphorus
Schenectady Lake	Mariaville Lake (1201-0113)	Phosphorus
Schuyler	Cayuta Lake (0603-0005)	Phosphorus

Seneca	Reeder Creek and trib (0705-0074)	Phosphorus
St.Lawrence	Black Lake Outlet, Black Lake (0906-0001)	Phosphorus
St.Lawrence	Fish Creek and minor trib (0906-0026)	Phosphorus
Steuben	Smith Pond (0502-0012)	Phosphorus
Suffolk	Agawam Lake (1701-0117)	Phosphorus
Suffolk	Big/Little Fresh Ponds (1701-0125)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Silt/Sediment
Suffolk	Fresh Pond (1701-0241)	Phosphorus
Suffolk	Great South Bay, East (1701-0039)	Nitrogen
Suffolk	Great South Bay, Middle (1701-0040)	Nitrogen
Suffolk	Great South Bay, West (1701-0173)	Nitrogen
Suffolk	Lake Ronkonkoma (1701-0020)	Phosphorus
Suffolk	Mattituck/Marratooka Pond (1701-0129)	Phosphorus
Suffolk	Mill and Seven Ponds (1701-0113)	Phosphorus
Suffolk	Millers Pond (1702-0013)	Phosphorus
Suffolk	Moriches Bay, East (1701-0305)	Nitrogen
Suffolk	Moriches Bay, West (1701-0038)	Nitrogen
Suffolk	Quantuck Bay (1701-0042)	Nitrogen
Suffolk	Shinnecock Bay and Inlet (1701-0033)	Nitrogen
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Nitrogen
Sullivan	Bodine, Mongomery Lakes (1401-0091)	Phosphorus
Sullivan	Davies Lake (1402-0047)	Phosphorus
Sullivan	Evens Lake (1402-0004)	Phosphorus
Sullivan	Pleasure Lake (1402-0055)	Phosphorus
Sullivan	Swan Lake (1401-0063)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Silt/Sediment
Ulster	Ashokan Reservoir (1307-0004)	Silt/Sediment
Ulster	Esopus Creek, Lower, Main Stem (1307-0010) [17]	Turbidity
Ulster	Esopus Creek, Middle, Main Stem (1307-0003) 17	Turbidity
Ulster	Esopus Creek, Upper, and minor trib (1307-0007)[3]	Silt/Sediment
Ulster	Wallkill River, Lower, Main Stem (1306-0027)	Phosphorus
Warren	Hague Brook and trib (1006-0006)	Silt/Sediment
Warren	Huddle/Finkle Brooks and trib (1006-0003)	Silt/Sediment
Warren	Indian Brook and trib (1006-0002)	Silt/Sediment
Warren	Lake George (1006-0016) and trib	Silt/Sediment
Warren	Tribs to Lake George, East Shore (1006-0020)	Silt/Sediment
Warren	Tribs to Lake George, Lk.George Village (1006-0008)	Silt/Sediment

Washington	Wood Cr/Champlain Canal and trib (1005-0036)	Phosphorus
Westchester	Lake Katonah (1302-0136)	Phosphorus
Westchester	Lake Lincolndale (1302-0089)	Phosphorus
Westchester	Lake Meahagh (1301-0053)	Phosphorus
Westchester	Lake Mohegan (1301-0149)	Phosphorus
Westchester	Lake Shenorock (1302-0083)	Phosphorus
Westchester	Mamaroneck River, Lower (1702-0071)	Silt/Sediment
Westchester	Mamaroneck River, Upp, & minor trib (1702-0123)	Silt/Sediment
Westchester	Saw Mill River (1301-0007)	Phosphorus
Westchester	Saw Mill River, Middle, and trib (1301-0100)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Silt/Sedimnt
Westchester	Silver Lake (1702-0040)	Phosphorus
Westchester	Teatown Lake (1302-0150)	Phosphorus
Westchester	Truesdale Lake (1302-0054)	Phosphorus
Westchester	Wallace Pond (1301-0140)	Phosphorus

APPENDIX E – List of NYSDEC Regional Offices

<u>Region</u>	<u>COVERING THE FOLLOWING COUNTIES:</u>	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	220 WHITE PLAINS ROAD, SUITE 110 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1130 NORTH WESTCOTT ROAD SCHEECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHEECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, Po Box 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIoga AND TOMPKINS	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7438	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7165	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7070

APPENDIX F – SWPPP Preparer Certification Form

The SWPPP Preparer Certification Form required by this permit begins on the following page.



Department of
Environmental
Conservation

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

Project/Site Name:

eNOI Submission ID:

Owner/Operator Name:

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SWPPP Preparer First Name

MI

SWPPP Preparer Last Name

Signature

Date

APPENDIX G – MS4 SWPPP Acceptance Form

The MS4 SWPPP Acceptance Form required by this permit begins on the following page.



Department of
Environmental
Conservation

MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information

1. Owner/Operator Name:

2. Contact Person:

3. Street Address:

4. City/State/Zip:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/State/Zip:

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4 Operator:

12. MS4 SPDES Permit Identification Number: NYR20A

13. Street Address:

14. City/State/Zip:

15. Telephone Number:

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP). Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name¹:

Title/Position:

Signature:

Date:

VI. Additional Information

¹ Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form

The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval form required by this permit begins on the following page.



THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Planning and Analysis
59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

SWPPP Acceptance/Approval

Application Number:

I. Project Owner/Operator Information

1. Owner/Operator Name:

2. Contact Person:

3. Street Address:

4. City/State/Zip:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/State/Zip:

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance/Approval

8. SWPPP Reviewed by:

9. Title/Position: /

10. Date Final SWPPP Reviewed and Accepted:

11. Acceptance/Approval Expiration Date:

IV. Regulated MS4 Information for projects that require coverage under the NY State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity

12. Name of MS4: CITY OF NEW YORK

13. MS4 SPDES Permit Identification Number: NY-0287890

14. Contact Person:

15. Street Address: 59-17 Junction Blvd. 9th Floor

16. City/State/Zip: Flushing, NY 11373

17. Telephone Number:



Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.



THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Planning and Analysis
59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Conditions of Acceptance/Approval and Additional Information



Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

APPENDIX I – MS4 No Jurisdiction Form

The MS4 No Jurisdiction Form required by this permit begins on the following page.



MS4 No Jurisdiction Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information

- a. Owner/Operator Name:
- b. Contact Person:
- c. Street Address:
- d. City/State/Zip:

II. Project Site Information

- a. Project/Site Name:
- b. Street Address:
- c. City/State/Zip:
- d. eNOI Submission ID:

III. Traditional Land Use Control MS4 Operator Information

- a. Name of MS4 Operator:
- b. MS4 SPDES Permit ID Number: NYR20A
- c. Street Address:
- d. City/State/Zip:
- e. Telephone Number:

IV. Certification Statement

In accordance with CGP Part I.D.2.b.ii.3., I hereby certify that the Traditional Land Use Control MS4 Operator identified in section III. of this form does not have review authority over the construction project identified in section II. of this form, which is owned/operated by the entity identified in section I. of this form. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- a. Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.:
- b. Title/Position:
- c. Signature:
- d. Date:

APPENDIX J – Owner/Operator Certification Form

The Owner/Operator Certification Form required by this permit begins on the following page.



Owner/Operator Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.

Project/Site Name: _____

eNOI Submission ID: _____

eNOI Submitted by: **Owner/Operator** **SWPPP Preparer** **Other**

Certification Statement - Owner/Operator

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner/Operator First Name

MI

Owner/Operator Last Name

Signature

Date

Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001

version 1.13

(Submission #: HQH-QCW3-VJ5M4, version 1)

Details

Originally Started By Riley Gillis

Alternate Identifier Fox Hill—Region 5

Submission ID HQH-QCW3-VJ5M4

Status Draft

Form Input

Eligibility

Disturbance Threshold

1. Will the construction activity involve soil disturbances listed in Part I.A.1 of GP-0-25-001?

Yes

1.a. Will any runoff from the site enter a sewer system classified as a combined sewer?

No

1.b. Is this a remediation project being done under a Department approved work plan (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) with a SWPPP which meets the substantive requirements of GP-0-25-001?

No

1.c. Is the construction activity related to a stormwater discharge that does not require a permit as described in 40 CFR 122.3(e), e.g. non-point source agriculture or silviculture activities?

No

Other SPDES Permits

2. Will the discharge from the construction activity meet all conditions listed in Part I.A.2 of GP-0-25-001?

Yes

Threatened and Endangered Species

3. Will the construction activity potentially adversely affect a species that is endangered or threatened per Part I.A.3.?

No

State Historic Preservation Act (SHPA)

4. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the SHPA review (see Attachment 2 of the Letter of Resolution between NYSDEC and OPRHP, dated January 9, 2015)?

Yes

State Environmental Quality Review (SEQR)

5. Is the construction activity subject to SEQR (Part I.A.5.), or the equivalent environmental review from another NYS or federal agency (Part I.A.6.)?

Yes

5.a. Has the owner/operator obtained documentation that the project review pursuant to SEQR, or the equivalent, has been satisfied per Part I.A.5. or I.A.6. of GP-0-25-001?

Yes

Uniform Procedures Act (UPA) Permits

6. Has the owner/operator obtained all necessary UPA permits from NYSDEC, or the equivalent from another NYS or federal agency per Part I.A.7.a. of GP-0-25-001?

Yes

Steep Slope

7. Is the construction activity within the watershed of surface waters of the State classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website?

No

Owner/Operator Information

8. Owner/Operator Name

Homestead Development

9. Owner/Operator Contact Person Information

First and Last Name	Phone	E-mail
Steve Sama	518-265-7278	ssama@homesteadadk.org

10. Owner/Operator Mailing Address

70 TRILLIUM DR
LAKE PLACID, NY 12946-3417
USA

11. Is the billing contact different from the Owner/Operator Contact?

No

12. What type of organization is the owner/operator?

Corporation

12.b. Is the owner/operator registered with the Department of State to do business in New York State?

No

Site Information

13. Project/Site Name

Fox Hill

14. Site Address

ALGONQUIN DRIVE
LAKE PLACID, NY 12946
Essex

DEC Region

5

15. Site Latitude & Longitude

44.29248371821219,-74.00003868835675

Project Details

16. This eNOI submission is for:

An entire common plan of development or sale in accordance with Part I.D.1.b.

17. Does the project type fall under Table 1 or Table 2 of Appendix B of GP-0-25-001? If any portion of the construction activity falls under Table 2, regardless of the size of the disturbance, select "Table 2".

Table 1

18. Consistent with Part III.B.1.c.i. of GP-0-25-001, provide a concise overview of the project. Describe existing and proposed conditions, and include any other relevant information.

Existing: Large forested parcel with existing clearing for trails.

Proposed: 22 single family dwellings. Access road for house sites. Open bottomed plate arch culvert at narrow gap between wetlands. Associated driveways and utility installation.

Enter the total project site acreage, the acreage to be disturbed, and the future impervious area (acreage) within the disturbed area, rounded to the nearest tenth of an acre.

19. Total Site Area (acres)

31.6

20. Total Area to be Disturbed (acres)

3.9

21. Existing Impervious Area to be Disturbed (acres)

0.0

22. Future Impervious Area Within Disturbed Area (acres)

1.4

Nature of the project:

New Construction

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

No

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

17

B (%)

19

C (%)

55

D (%)

9

25. Enter the planned start and end dates of the disturbance activities.

Start Date

03/21/2026

End Date

09/30/2027

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

Outlet Brook

27. Type of waterbody identified in question 26?

Wetland/State Jurisdiction On Site

Stream/Creek On Site

28. Has the surface waterbody in question 26 been identified as a 303(d) segment in Appendix D of GP-0-25-001?

No

29. Is this project located in one of the Watersheds identified in Appendix C of GP-0-25-001?

No

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

Yes

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

Yes

31.a. What is the name of the municipality/entity that owns the separate storm sewer system? If the separate sewer system is owned by an MS4 Operator, enter the MS4 Operator name.

Village of Lake Placid

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

No

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

No

Required SWPPP Components

General SWPPP Requirements

34. Has a SWPPP been developed in conformance with the requirements in Part III. of GP-0-25-001?

Yes

35. Does the SWPPP demonstrate consideration of the future physical risks due to climate change pursuant to the CRRA, 6 NYCRR Part 490, and associated guidance per Part III.A.2. of GP-0-25-001?

Yes

36. 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

SWPPP Preparer

39. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:
Professional Engineer (P.E.)

40. Name of the person who prepared the SWPPP

Joseph Garso, PE

41. SWPPP Preparer Organization Name

North Woods Engineering, PLLC

42. SWPPP Preparer Contact Information

First and Last Name	Phone	E-mail
Joseph Garso	518-891-4975	jgarso@north-woods-engineering.com

43. SWPPP Preparer Address

348 Lake Street
Saranac Lake, NY 12983

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) Upload the completed form

[Download SWPPP Preparer Certification Form](#)

44. Please upload the SWPPP Preparer Certification

SWPPP Preparer sig.pdf - 12/10/2025 02:53 PM

Comment

NONE PROVIDED

44.a. Has the SWPPP Preparer Certification Form been signed by the SWPPP preparer in accordance with Part VII.J of GP-0-25-001?

Yes

Erosion & Sediment Control Criteria

45. Has a construction sequence schedule for the planned management practices been prepared?

Yes

Other Permits

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

Other: APA Major Project Application, NYSDOH Subdivision

57. Is this NOI for a change in owner/operator per Part I.G.?

No

MS4 SWPPP Acceptance

59. Will the construction activities be within the municipal boundary(ies) of Traditional Land Use Control MS4 Operator(s) and discharge to the MS4(s)?

No

Owner/Operator Certification

Owner/Operator Certification Form Download

Download the Owner/Operator Certification Form by clicking the link below.

[Owner/Operator Certification Form](#)

61. Upload Owner/Operator Certification Form

Owner Operator Certification Form - SPDES 12-10-25.pdf - 12/11/2025 11:52 AM

Comment

NONE PROVIDED

61.a. Has the Owner/Operator Certification Form from Appendix J been signed by the owner/operator, or a representative of the owner/operator in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOI?

Yes

Additional Project Information

62. Enter any additional pertinent project information in the text box below.

NONE PROVIDED

Attachments

Date	Attachment Name	Context	User
12/11/2025 11:52 AM	Owner Operator Certification Form - SPDES 12-10-25.pdf	Attachment	Riley Gillis
12/10/2025 2:53 PM	SWPPP Preparer sig.pdf	Attachment	Riley Gillis



Department of
Environmental
Conservation

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

Project/Site Name:

Fox Hill

eNOI Submission ID:

HQH-QCW3-WJ5M4

Owner/Operator Name:

Homestead Development Corporation

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Joseph

A

Garso

SWPPP Preparer First Name

MI

SWPPP Preparer Last Name

A handwritten signature in blue ink, appearing to read "Joseph A. Garso".

Signature

Date 9 DEC 25



Department of
Environmental
Conservation

Owner/Operator Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.

Project/Site Name: Fox Hill

eNOI Submission ID: HQH-QCW3-WJ5M4

eNOI Submitted by: Owner/Operator SWPPP Preparer Other

Certification Statement - Owner/Operator

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Steve

Owner/Operator First Name

Sama

MI

Owner/Operator Last Name


Signature

12-15-25

Date



Department of
Environmental
Conservation

eNOT Owner or Operator Certification

for construction activities seeking termination from the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

I. Project Owner/Operator Information

- a. Owner/Operator Name:
- b. Contact Person:
- c. Street Address:
- d. City/State/Zip:

II. Project Site Information

- a. Project/Site Name:
- b. Street Address:
- c. City/State/Zip:
- d. CGP SPDES Permit ID:

III. Certification Statement

I certify that I have met the requirements of CGP Part V.A.1., 2., 3., and 4. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- a. Printed name of the Owner or Operator:
- b. Title/Position:
- c. Signature:
- d. Date:



September 18, 2025

Steve Sama
Homestead Development Corporation
70 Trillium Dr
Lake Placid, NY 12946

Re: APA
Fox Hill Residential Subdivision Lake Placid
Lake Placid, NY
25PR06004

Dear Steve Sama:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act (NYSHPA) of 1980 (Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

We note that the project area is adjacent to the Adirondack Park National Historic Landmark as well as the W. Alton Jones Cell Science Center, which is eligible for listing in the State and National Registers of Historic Places. We have reviewed the project information submitted to our office on July 8, 2025 and September 18, 2025. Based on this review, it is the opinion of OPRHP that the proposed subdivision and construction will have No Adverse Impact on historic or cultural resources.

If you have any questions, you can call or e-mail me at the contact information below.

Sincerely,

Theresa Moriarty
Historic Site Restoration Coordinator
518.925.6507 | theresa.moriarty@parks.ny.gov

Cc: Devan Korn, APA; Terry Tubridy
via email only

Appendix B

Certification

(copy forms as needed for each contractor)

Contractor Certification

Fox Hill, Lake Placid, New York
Project Location and Description

“I hereby certify under penalty of law that I understand and agree to comply with the requirements 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 requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) 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.”

Signature	Printed Name	Title	Date
-----------	--------------	-------	------

Trained Contractor Name	Title
-------------------------	-------

Backup Trained Contractor Name	Title
--------------------------------	-------

Contracting Firm Name	Phone	Fax
-----------------------	-------	-----

Address

Contractor Responsibilities (list all specific elements, examples provided on back of sheet)

Examples of specific elements:

Installing and/or constructing all erosion and sediment control practices

Installing stabilized road entrance only

Installing, inspecting and maintaining silt fence only

Repairing and/or replacing all erosion and sediment control practices

Inspecting and maintaining all erosion and sediment control practices

Inspection and maintaining check dams, stabilized road entrance and silt fences only

Installing and/or constructing post-construction stormwater management practices

Repairing and/or replacing post-construction stormwater management practices

Inspecting and maintaining post-construction stormwater management practices

Appendix C

Construction Forms

Construction Sequence Schedule

Note: See SWPPP, US EPA Phase II Best Management Practices (BMPs), and project plans for additional information.

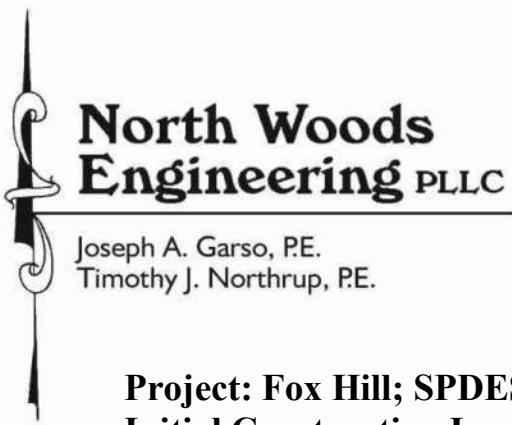
Type	Action	Quantity	Phase	Maintenance
Pre-Construction Meeting	Meeting to identify roles and responsibilities	Not Applicable	Pre-construction	Maintain communication through project
Site Protection	Enact waste management plan	Not Applicable	Pre- and during construction	Implement action throughout all phases of construction
Site Protection	Enact spill prevention and control plan	Not Applicable	Pre- and during construction	Implement action throughout all phases of construction
Resource Protection	Preserve natural vegetation in areas to be left un-developed	As discussed in SWPPP Report	Pre-construction	Inspect and maintain roping or fencing on a regular basis; repair or replace damaged vegetation
Construction Controls	Establish staging area, construction entrance, soil stockpiles and concrete washout areas	In accordance with SWPPP and project plans	Pre-construction	Install and maintain on a regular basis, keep areas clear of debris and trash, properly dispose of hardened concrete
Runoff and Sediment Controls	Install silt fences	In accordance with SWPPP and project plans	Pre-construction	Inspect and maintain fences on a regular basis and after each rain; remove accumulated sediments; repair or replace damaged fences
Runoff and Sediment Controls	Install grass lined swales in locations shown on project plans	In accordance with SWPPP and project plans	During construction	Inspect and maintain swales on a regular basis and after each rain; remove accumulated sediments; repair or replace damaged swales

Runoff and Sediment Controls	Install outfall structure	As shown on project plans	During construction	Inspect and maintain structures on a regular basis and after each rain; remove accumulated sediments; repair or replace damaged structures
Erosion Control	Complete soil roughening where necessary	In accordance with project plans	During construction	Inspect roughened areas regularly for erosion and sediment runoff; repeat roughening or provide additional erosion controls as required
Construction	Utility installation and connections to site	As shown on project plans	During construction	Maintain connections and utility infrastructure, coordinate with utility servicers
Grading	Conduct grading in accordance with SWPPP and project plans	As shown on project plans	During construction	Inspect disturbed areas regularly for erosion and sediment runoff; install controls as required
Construction	Construct buildings, roads, and other features	As shown on project plans	During construction	Inspect regularly for failures or required maintenance
Erosion Control	Mulch and seed disturbed areas and grass lined swales	In accordance with SWPPP and project plans	During construction	Inspect and maintain disturbed areas on a regular basis and after each rain; replace damaged mulch and seeding
Permanent Stormwater Controls	Verify construction of depression areas	In accordance with SWPPP and project plans	During construction	Protect all controls during construction, ensure functionality prior to acceptance by purchaser
Erosion Control	Conduct soil restoration	In accordance with SWPPP and project plans	During and post-construction	Keep site free of vehicular and foot traffic or other weight loads

Construction Management	Conduct weekly inspections	Not Applicable	During construction	Complete weekly inspection reports and maintain onsite
Long-Term Management	Enact maintenance plan	Not Applicable	Post-construction	Inspect and clean stormwater controls on a regular basis to ensure long-term function

Note:

The SWPPP, the project plans and the specifications are all part of the contract documents. The contractor shall follow any project specific item that may only be listed in a single part of the contract documents.



North Woods Engineering PLLC

Joseph A. Garso, P.E.
Timothy J. Northrup, P.E.

Project: Fox Hill; SPDES: # Initial Construction Inspection Checklist

Inspector Name, Title: _____

Date: _____

Signature: _____

Time: _____

Weather: _____

Inspection #: _____

Soil Conditions (dry, saturated, etc.): _____

Note: Digital photos, with date stamp required for all practices requiring corrective action, before and after, to be attached to the inspection report. A map 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 shall also be attached to this report.

Notice of Intent, SWPPP, and Contractor's Certifications

Yes No N/A

 Notice of Intent (NOI) filed and onsite? Where? _____
 SWPPP on-site? Where? _____
 Is SWPPP current? Latest revision date? _____
 Signed Contractor Certification Statements onsite? Where? _____

Resource Protection

Yes No N/A

 Construction limits have been clearly flagged or fenced.
 Important trees and associated rooting zones, on-site septic system absorption fields, existing vegetated areas suitable for filter strips, especially in perimeter areas, have been flagged for protection.
 Creek crossings were installed prior to land-disturbing activity, including clearing and blasting.

Surface Water Protection

Yes No N/A

 Clean stormwater runoff has been diverted from areas to be disturbed.
 Bodies of water, located either on site or in the vicinity of the site, have been identified or protected.
 Appropriate practices to protect on-site or downstream surface water are installed.
 Are clearing and grading operations divided into areas <5 acres?

Stabilized Construction Entrance

Yes No N/A

- [] [] [] Temporary stabilized construction entrance to capture mud and debris from construction vehicles before they enter the public highway has been installed.
- [] [] [] Other access areas (entrances, construction routes, equipment parking areas) are stabilized immediately as work takes place with gravel or other cover.
- [] [] [] Sediment tracked onto public streets is removed or cleaned on a regular basis.

Perimeter Sediment Controls

Yes No N/A

- [] [] [] Silt fence material and installation comply with the standard drawing and specifications.
- [] [] [] Silt fences are installed at appropriate spacing intervals
- [] [] [] Sediment/detention basin was installed as first land disturbing activity.
- [] [] [] Sediment traps and barriers are installed.

Pollution Prevention for Waste and Hazardous Materials

Yes No N/A

[] [] [] The Owner or designated representative has been assigned to implement the spill prevention avoidance and response plan.

[] [] [] The plan is contained in the SWPPP on page ____.

[] [] [] Appropriate materials to control spills are onsite. Where?

Disturbance

Sq Ft

Total area with active soil disturbance (not requiring either temporary stabilization or final stabilization).

Sq Ft

Total area with inactive soil disturbance (requiring either temporary stabilization or final stabilization).

Sq Ft

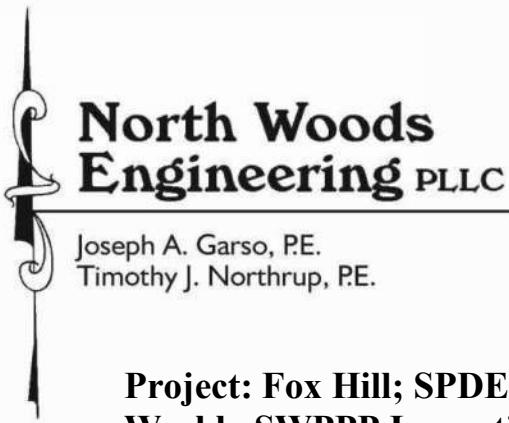
Total area that has achieved temporary stabilization.

Sq Ft

Total area that has achieved final stabilization; and

Comments and Required Actions

Action reported to (name, company): _____



North Woods Engineering PLLC

Joseph A. Garso, P.E.
Timothy J. Northrup, P.E.

Project: Fox Hill; SPDES: # Weekly SWPPP Inspection Report

Inspector Name, Title: _____

Date: _____

Signature: _____

Time: _____

Weather: _____

Inspection #: _____

Soil Conditions (dry, saturated, etc.): _____

Note: Digital photos, with date stamp required for all practices requiring corrective action, before and after, to be attached to the inspection report. A map 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 shall also be attached to this report.

Yes No N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Routine inspection	Date of last inspection: _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Inspection following rain event	Date/time of storm ending: _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is this a final site inspection?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has site undergone final stabilization?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If so, have all temporary erosion and sediment controls been removed?	

Site Disturbance (Indicate locations on plan)

Yes No N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Areas previously disturbed, but no active site work in the last 14 days?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Areas disturbed within last 14 days?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Areas expected to be disturbed in next 14 days?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do areas of steep slopes or complex stabilization issues exist?
			If yes, explain: _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there currently more than 5 acres of disturbed soil at the site? If so make sure there is an approval letter from NYS DEC.

Additional Comments: _____

Erosion and Sediment Control Devices

Interceptor Dikes and Swales

Yes No N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Installed per plan with minimum side slopes 3H:V or flatter.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stabilized by geotextile fabric, seed, or mulch with no erosion occurring.

[] [] [] Sediment-laden runoff directed to sediment trapping structure

Stone Check Dams

Yes No N/A

[] [] [] Is channel stable (flow not eroding soil underneath or around structure)?

[] [] [] Check is in good condition (rocks in place and no permanent pools behind).

[] [] [] Has accumulated sediment been removed?

Rock Outlet Protection

Yes No N/A

[] [] [] Installed per plan.

[] [] [] Installed concurrently with pipe installation.

Culvert Inlet Protection

Yes No N/A

[] [] [] Installed per plan.

[] [] [] Installed concurrently with pipe installation.

Stabilized Construction Entrance

Yes No N/A

[] [] [] 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?

Silt Fences

Yes No N/A

[] [] [] Installed on contours, 10' from toe of slope & not across conveyances.

[] [] [] Joints constructed by wrapping the ends together for continuous support.

[] [] [] Fabric buried 6 inches minimum.

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

Sediment accumulation is _____% of design capacity.

Turbidity Curtain

Yes No N/A

[] [] [] If installed, is it secure, located around the work zone and preventing turbid water from leaving the work zone.

Stabilization/Runoff

Yes No N/A

[] [] [] Are all disturbed areas and soil stockpiles contained by control devices?

[] [] [] Are soil stockpiles stabilized with vegetation and/or mulch?

[] [] [] Have temporary seeding and mulch been applied to idle areas?

[] [] [] Is there current snow cover or frozen ground conditions?
 [] [] [] Rills or gullies?
 [] [] [] Slumping/deposition?
 [] [] [] Loss of vegetation?
 [] [] [] Lack of germination?
 [] [] [] Loss of mulching?
 [] [] [] Is there at least 4" of topsoil under permanent seedings?

Receiving Structures/Water Bodies

Yes No N/A

[] [] [] Surface water swale or natural surface waterbody?
 [] [] [] Municipal or community system?

Inspect locations where runoff from project site enters receiving waters within or adjacent to the Project and indicate if there is evidence of:

[] [] [] Rills or gullies?
 [] [] [] Slumping/deposition?
 [] [] [] Loss of vegetation?
 [] [] [] Undermining of structures?
 [] [] [] Was there a discharge into the receiving water on the day of inspection?
 [] [] [] Evidence of turbidity, sedimentation, or oil in the receiving waters?

Describe the condition of all natural waterbodies within or adjacent to the Project that receive runoff from the site:

General Site Condition

Yes No N/A

[] [] [] Have action items from previous reports been addressed?
 [] [] [] Does maintenance of protection components occur on a regular basis?
 [] [] [] Are affected roadways free from mud/dirt?
 [] [] [] Is site free of debris and litter and is site maintained in an orderly manner?
 [] [] [] Is dust adequately controlled?
 [] [] [] Is all disturbance within the limits of the approved plans?

Additional Comments:

Disturbance

_____ Sq Ft Total area with active soil disturbance (not requiring either temporary stabilization or final stabilization).

_____ Sq Ft Total area with inactive soil disturbance (requiring either temporary stabilization or final stabilization).

_____ Sq Ft Total area that has achieved temporary stabilization.

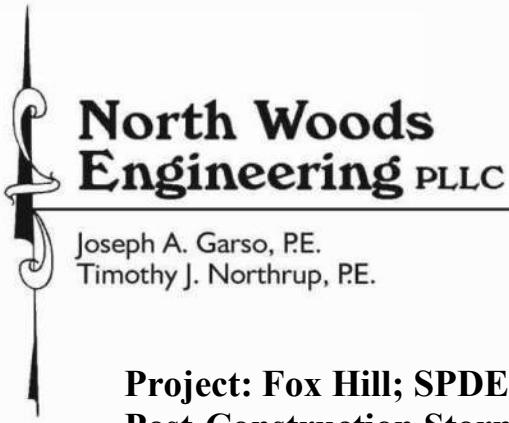
_____ Sq Ft Total area that has achieved final stabilization; and

Summary of action items to repair/replace/maintain/correct deficiencies: _____

Action reported to (name, company): _____

Site Sketch

Attached site sketch of disturbed site areas and drainage pathways, and areas of concerns.



Joseph A. Garso, P.E.
Timothy J. Northrup, P.E.

**Project: Fox Hill; SPDES:#
Post-Construction Stormwater Controls
Operation and Maintenance Inspection Checklist**

Inspector Name, Title: _____ Date: _____
Signature: _____

Wet Swales (monthly)

Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion in channel?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blockage or other sediment build-up?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bank instability?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Piping or scouring holes?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Need for liner?

Grassed Swales (monthly)

Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion in channel?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blockage or other sediment build-up?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bank instability?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Piping or scouring holes?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Need for liner?

Stone Check Dams (monthly)

Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is channel stable (flow is not eroding soil underneath or around the structure)?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Check is in good condition (rocks in place and no permanent pools behind the structure).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has accumulated sediment been removed?

Miscellaneous (monthly)

Yes	No	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Complaints from residents?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grass growing required?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Graffiti removal needed?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Condition of maintenance access routes acceptable?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs of hydrocarbon build-up?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any public hazards?

Comments and Required Actions

Appendix D

Soils Information



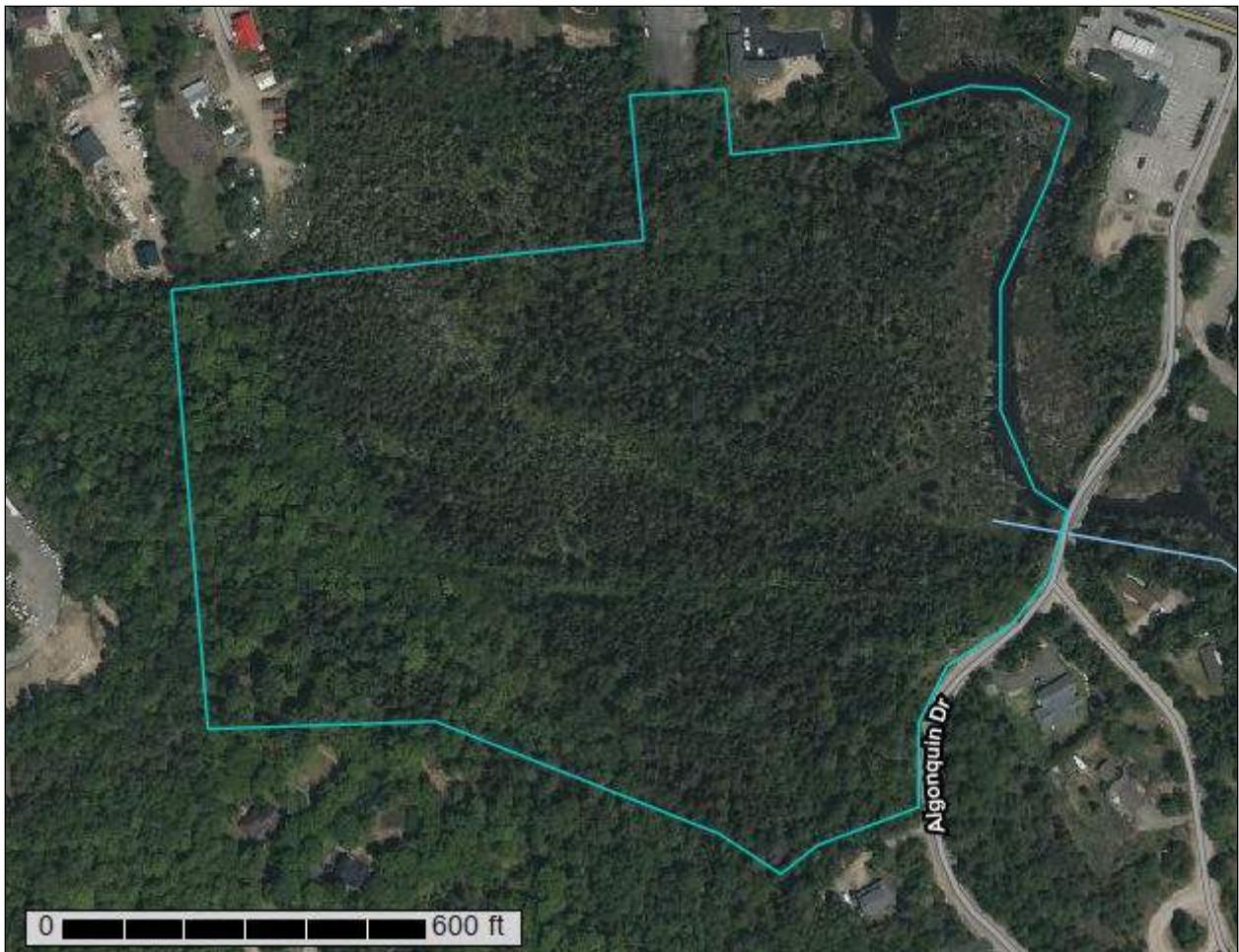
United States
Department of
Agriculture



Natural
Resources
Conservation
Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Essex County, New York



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Essex County, New York.....	13
BvA—Burnt Vly peat, 0 to 1 percent slopes.....	13
MkB—Monadnock fine sandy loam, 3 to 8 percent slopes, very bouldery.....	15
MkC—Monadnock fine sandy loam, 8 to 15 percent slopes, very bouldery.....	16
MkD—Monadnock fine sandy loam, 15 to 35 percent slopes, very bouldery.....	18
SnB—Sunapee fine sandy loam, 3 to 8 percent slopes, very bouldery.....	19
References.....	21

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units).

Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

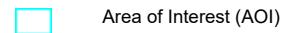
The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

Area of Interest (AOI)



Area of Interest (AOI)

Soils



Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip

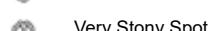


Sodic Spot

Spoil Area



Stony Spot



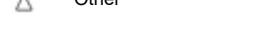
Very Stony Spot



Wet Spot

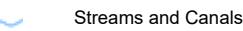


Other



Special Line Features

Water Features



Streams and Canals

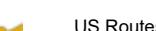
Transportation



Rails



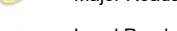
Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Essex County, New York

Survey Area Data: Version 25, Sep 4, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 13, 2023—May 31, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BvA	Burnt Vly peat, 0 to 1 percent slopes	4.2	14.2%
MkB	Monadnock fine sandy loam, 3 to 8 percent slopes, very bouldery	1.5	5.0%
MkC	Monadnock fine sandy loam, 8 to 15 percent slopes, very bouldery	14.9	49.9%
MkD	Monadnock fine sandy loam, 15 to 35 percent slopes, very bouldery	4.2	14.1%
SnB	Sunapee fine sandy loam, 3 to 8 percent slopes, very bouldery	5.0	16.8%
Totals for Area of Interest		29.8	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor

components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Essex County, New York

BvA—Burnt Vly peat, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 1vjs1
Elevation: 510 to 3,030 feet
Mean annual precipitation: 34 to 50 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 100 to 130 days
Farmland classification: Not prime farmland

Map Unit Composition

Burnt vly and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Burnt Vly

Setting

Landform: Bogs, swamps
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Organic material over sandy glaciofluvial deposits

Typical profile

Oi - 0 to 10 inches: peat
Oe - 10 to 15 inches: mucky peat
Oa1 - 15 to 24 inches: muck
Oa2 - 24 to 34 inches: muck
2Cg1 - 34 to 56 inches: loamy fine sand
2Cg2 - 56 to 72 inches: very fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 5.95 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Available water supply, 0 to 60 inches: Very high (about 20.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: B/D
Ecological site: F143XY230ME - Acidic Peat Wetland Complex
Hydric soil rating: Yes

Minor Components

Pleasant lake

Percent of map unit: 5 percent

Landform: Bogs

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Dip

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Tahawus

Percent of map unit: 4 percent

Landform: Till plains

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Base slope

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Searsport

Percent of map unit: 3 percent

Landform: Deltas

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Tread

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Wonsqueak

Percent of map unit: 2 percent

Landform: Swamps

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Dip

Down-slope shape: Concave

Across-slope shape: Concave

Hydric soil rating: Yes

Rumney

Percent of map unit: 1 percent

Landform: Flood plains

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Dip

Down-slope shape: Convex

Across-slope shape: Concave

Hydric soil rating: Yes

MkB—Monadnock fine sandy loam, 3 to 8 percent slopes, very bouldery

Map Unit Setting

National map unit symbol: b063

Elevation: 510 to 3,030 feet

Mean annual precipitation: 34 to 50 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 100 to 130 days

Farmland classification: Not prime farmland

Map Unit Composition

Monadnock, very bouldery, and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Monadnock, Very Bouldery

Setting

Landform: Hillsides or mountainsides

Landform position (two-dimensional): Summit, shoulder

Landform position (three-dimensional): Crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy ablation till over sandy ablation till derived from gneiss

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material

E - 2 to 3 inches: fine sandy loam

Bs1 - 3 to 12 inches: fine sandy loam

Bs2 - 12 to 19 inches: fine sandy loam

BC - 19 to 30 inches: fine sandy loam

2C1 - 30 to 37 inches: gravelly loamy sand

2C2 - 37 to 72 inches: gravelly sand

Properties and qualities

Slope: 3 to 8 percent

Surface area covered with cobbles, stones or boulders: 2.4 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 6.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: A

Ecological site: F142XA019NY - Acidic Moist Till Frigid

Hydric soil rating: No

Minor Components

Becket

Percent of map unit: 5 percent

Hydric soil rating: No

Fernlake

Percent of map unit: 3 percent

Hydric soil rating: No

Sunapee

Percent of map unit: 3 percent

Hydric soil rating: No

Pyrities

Percent of map unit: 2 percent

Hydric soil rating: No

Adams

Percent of map unit: 2 percent

Hydric soil rating: No

MkC—Monadnock fine sandy loam, 8 to 15 percent slopes, very bouldery

Map Unit Setting

National map unit symbol: bq71

Elevation: 510 to 3,030 feet

Mean annual precipitation: 34 to 50 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 100 to 130 days

Farmland classification: Not prime farmland

Map Unit Composition

Monadnock, very bouldery, and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Monadnock, Very Bouldery

Setting

Landform: Hillsides or mountainsides

Landform position (two-dimensional): Shoulder, backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy ablation till over sandy ablation till derived from gneiss

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
E - 2 to 3 inches: fine sandy loam
Bs1 - 3 to 12 inches: fine sandy loam
Bs2 - 12 to 19 inches: fine sandy loam
BC - 19 to 30 inches: fine sandy loam
2C1 - 30 to 37 inches: gravelly loamy sand
2C2 - 37 to 72 inches: gravelly sand

Properties and qualities

Slope: 8 to 15 percent
Surface area covered with cobbles, stones or boulders: 2.4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 6.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: A
Ecological site: F142XA019NY - Acidic Moist Till Frigid
Hydric soil rating: No

Minor Components

Becket

Percent of map unit: 5 percent
Hydric soil rating: No

Sunapee

Percent of map unit: 3 percent
Hydric soil rating: No

Fernlake

Percent of map unit: 3 percent
Hydric soil rating: No

Adams

Percent of map unit: 2 percent
Hydric soil rating: No

Pyrities

Percent of map unit: 2 percent
Hydric soil rating: No

MkD—Monadnock fine sandy loam, 15 to 35 percent slopes, very bouldery

Map Unit Setting

National map unit symbol: bq72
Elevation: 510 to 3,030 feet
Mean annual precipitation: 34 to 50 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 100 to 130 days
Farmland classification: Not prime farmland

Map Unit Composition

Monadnock, very bouldery, and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Monadnock, Very Bouldery

Setting

Landform: Hillsides or mountainsides
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy ablation till over sandy ablation till derived from gneiss

Typical profile

Oe - 0 to 2 inches: moderately decomposed plant material
E - 2 to 3 inches: fine sandy loam
Bs1 - 3 to 12 inches: fine sandy loam
Bs2 - 12 to 19 inches: fine sandy loam
BC - 19 to 30 inches: fine sandy loam
2C1 - 30 to 37 inches: gravelly loamy sand
2C2 - 37 to 72 inches: gravelly sand

Properties and qualities

Slope: 15 to 35 percent
Surface area covered with cobbles, stones or boulders: 2.4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 6.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7s

Hydrologic Soil Group: A

Ecological site: F142XA019NY - Acidic Moist Till Frigid

Hydric soil rating: No

Minor Components

Becket

Percent of map unit: 5 percent

Hydric soil rating: No

Adams

Percent of map unit: 3 percent

Hydric soil rating: No

Fernlake

Percent of map unit: 3 percent

Hydric soil rating: No

Pyrities

Percent of map unit: 3 percent

Hydric soil rating: No

Sunapee

Percent of map unit: 1 percent

Hydric soil rating: No

SnB—Sunapee fine sandy loam, 3 to 8 percent slopes, very bouldery

Map Unit Setting

National map unit symbol: bq73

Elevation: 510 to 2,020 feet

Mean annual precipitation: 34 to 50 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 100 to 130 days

Farmland classification: Not prime farmland

Map Unit Composition

Sunapee, very bouldery, and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sunapee, Very Bouldery

Setting

Landform: Hillsides or mountainsides

Landform position (two-dimensional): Backslope, footslope

Landform position (three-dimensional): Side slope, base slope

Down-slope shape: Linear

Across-slope shape: Convex

Parent material: Loamy ablation till derived from gneiss

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 4 inches: fine sandy loam
E - 4 to 5 inches: fine sandy loam
Bs1 - 5 to 7 inches: fine sandy loam
Bs2 - 7 to 14 inches: fine sandy loam
BC1 - 14 to 19 inches: fine sandy loam
BC2 - 19 to 31 inches: gravelly sandy loam
C - 31 to 72 inches: gravelly loamy sand

Properties and qualities

Slope: 3 to 8 percent
Surface area covered with cobbles, stones or boulders: 2.4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 5.95 in/hr)
Depth to water table: About 18 to 30 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 6.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: B
Ecological site: F143XY501ME - Loamy Slope
Hydric soil rating: No

Minor Components

Monadnock

Percent of map unit: 5 percent
Hydric soil rating: No

Adirondack

Percent of map unit: 4 percent
Hydric soil rating: No

Skerry

Percent of map unit: 3 percent
Hydric soil rating: No

Fernlake

Percent of map unit: 3 percent
Hydric soil rating: No

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

Appendix E

Winter Stabilization Requirements

STANDARD AND SPECIFICATIONS FOR WINTER STABILIZATION



Definition & Scope

A temporary site specific, enhanced erosion and sediment control plan to manage runoff and sediment at the site during construction activities in the winter months to protect off-site water resources.

Conditions Where Practice Applies

This standard applies to all construction activities involved with ongoing land disturbance and exposure between November 15th to the following April 1st.

Design Criteria

1. Prepare a snow management plan with adequate storage for snow and control of melt water, requiring cleared snow to be stored in a manner not affecting ongoing construction activities.
2. Enlarge and stabilize access points to provide for snow management and stockpiling. Snow management activities must not destroy or degrade installed erosion and sediment control practices.
3. A minimum 25 foot buffer shall be maintained from all perimeter controls such as silt fence. Mark silt fence with tall stakes that are visible above the snow pack.
4. Edges of disturbed areas that drain to a waterbody within 100 feet will have 2 rows of silt fence, 5 feet apart, installed on the contour.
5. Drainage structures must be kept open and free of snow and ice dams. All debris, ice dams, or debris from plowing operations, that restrict the flow of runoff and meltwater, shall be removed.
6. Sediment barriers must be installed at all appropriate

perimeter and sensitive locations. Silt fence and other practices requiring earth disturbance must be installed before the ground freezes.

7. Soil stockpiles must be protected by the use of established vegetation, anchored straw mulch, rolled stabilization matting, or other durable covering. A barrier must be installed at least 15 feet from the toe of the stockpile to prevent soil migration and to capture loose soil.
8. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures should be initiated by the end of the next business day and completed within three (3) days. Rolled erosion control blankets must be used on all slopes 3 horizontal to 1 vertical or steeper.
9. If straw mulch alone is used for temporary stabilization, it shall be applied at double the standard rate of 2 tons per acre, making the application rate 4 tons per acre. Other manufactured mulches should be applied at double the manufacturer's recommended rate.
10. To ensure adequate stabilization of disturbed soil in advance of a melt event, areas of disturbed soil should be stabilized at the end of each work day unless:
 - a. work will resume within 24 hours in the same area and no precipitation is forecast or;
 - b. the work is in disturbed areas that collect and retain runoff, such as open utility trenches, foundation excavations, or water management areas.
11. Use stone paths to stabilize access perimeters of buildings under construction and areas where construction vehicle traffic is anticipated. Stone paths should be a minimum 10 feet in width but wider as necessary to accommodate equipment.

Maintenance

The site shall be inspected frequently to ensure that the erosion and sediment control plan is performing its winter stabilization function. If the site will not have earth disturbing activities ongoing during the "winter season", all bare exposed soil must be stabilized by established vegetation, straw or other acceptable mulch, matting, rock, or other approved material such as rolled erosion control products. Seeding of areas with mulch cover is preferred but seeding alone is not acceptable for proper stabilization.

Compliance inspections must be performed and reports filed properly in accordance with the SWPPP for all sites under a winter shutdown.

References

1. Northeastern Illinois Soil and Sedimentation Control Steering Committee. October 1981. Procedures and Standards for Urban Soil Erosion and Sediment Control in Illinois.
2. J.F. Rushing, V.M. Moore, J.S. Tingle, Q. Mason, and T. McCaffery, 2005. Dust Abatement Methods for Lines of Communication and Base Camps in Temperate Climates. ERDC/GSL TR-05-23, October 2005.

Appendix F

Project Plans (attached)

Appendix G

Completed Inspection Checklists

Table of Contents

Section A. Project Introduction	1
A1. Project Description	
A2. Stormwater Management Objectives	
A3. Pre-Development Conditions	
A4. Future Site Conditions	
A5. Responsible Parties and Certification	
Section B. Erosion and Sediment Control	7
B1. Pre-Construction Actions	
B2. Runoff and Drainage Control	
B3. Grading	
B4. Erosion Control	
B5. Sediment Control	
B6. Maintenance and Inspection	
B7. Finish Grading and Landscaping	
B8. Post-Construction Controls	
B9. Winter Stabilization Requirements	
Section C. Construction Waste Management Plan Pollution Prevention Plan	
Construction Spill Prevention and Control Plan	11
C1. Storage and Disposal of Construction Site Wastes	
C2. Material Handling Procedures and Storage Requirements	
C3. Disposal of Hazardous Materials	
C4. Spill Response	
C5. Use of Petroleum Products	
C6. Use of Pesticides	
C7. Use of Fertilizers	
C8. Use of Detergents	
Section D. Stormwater Management Planning	14
D1. Site Planning	
D2. Water Quality and Runoff Reduction Volume	
D3. Volume and Peak Rate Controls	
D4. Final Landscaping	

Section E. Construction Inspections	16
E1. Maintenance Inspection Schedule - Trained Contractor	
E2. Ongoing Inspections during Construction - Qualified Inspector	
E3. Inspection Report Requirements - Qualified Inspector	
E4. Inspections during Temporary Shutdowns	
E5. Inspections for Partial and Final Project Shutdown	

Section F. Project Completion, Closeout, and Operations & Maintenance	20
--	-----------

F1. Termination of Permit Coverage	
F2. Required Records Retention	
F3. Operations and Maintenance	

Appendices

A. Permit Forms

General Permit GP-0-25-001	
Notice of Intent (eNOI)	
Notice of Termination (eNOT)	
SHPO No Adverse Impact Letter	

B. Certification

SWPPP Preparer Certification Form	
Owner Certification Form	
Contractor Certification Forms	

C. Construction Forms

Construction Sequence Schedule	
Initial Construction Inspection Checklist	
Weekly Construction Inspection Checklist	
Post-Construction Stormwater Controls, Operation and Maintenance Inspection Checklist	

D. Soils Information

USDA Soils Resource Report	
----------------------------	--

E. Winter Stabilization Requirements

F. Project Plans

G. Completed Inspection Checklists