

**EDGE-ON-HUDSON
PHASE 1 SITE PLAN**

Village of Sleepy Hollow, New York

**STORMWATER POLLUTION
PREVENTION PLAN**

Prepared for the Fulfillment of:

**New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from Construction Activities
Permit No. GP-0-15-002**

Prepared by:

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EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK

STORMWATER POLLUTION PREVENTION PLAN

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EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK
STORMWATER POLLUTION PREVENTION PLAN

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TAB 1
BACKGROUND

1. BACKGROUND

a. Document Description

This document is a Stormwater Pollution Prevention Plan (SWPPP) prepared and maintained in compliance with the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Storm Water Discharges from Construction Activity (Permit Number GP-0-15-002) for the redevelopment of the former GM Assembly Plant site (West and South Parcels) located in the Village of Sleepy Hollow, New York.

This SWPPP includes text (the documents bound in this notebook) and site plan drawings as listed in Section 2.h., and other relevant documents as listed in Section 2.i., that describe the existing developed condition of the site and the estimated redeveloped conditions during and after construction.

The following is a list and brief description of the sections of this text as identified in the Table of Contents:

Sections 1 and 2: Description of the existing developed site conditions and the conditions that are predicted to occur during and after the proposed project is constructed and the site redeveloped.

Section 3, Appendix A: The Stormwater Management Report (Drainage Report) outlines the improvements planned to control stormwater runoff in terms of quantity and quality according to the requirements of the NYSDEC SPDES GP-0-15-002 and Village of Sleepy Hollow Code, Chapter 450-9 Article XVI Stormwater Control.

Section 4, Appendix B: The certification forms to be completed by the project operator and the project contractors responsible for the implementation of this Plan.

Section 5, Appendix C: The Construction Activity Initiation and Completion Dates form to be completed by the contractor as the project is constructed.

Section 6, Appendix D: Blank Stormwater Pollution Prevention Plan Observation Report to be completed by the certified inspector after each inspection conducted and as described in Section 1(d) viii of this text.

Section 7, Appendix E: A copy of the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit Number GP-0-15-002). **The contractor is responsible for maintaining compliance with this permit.**

Section 8, Appendix F: Applications and approvals related to the SWPPP will be inserted into this section as they are completed. These documents will include the MS4 SWPPP Acceptance Form, the Notice of Intent, and the Notice of Termination.

Compliance with the NYSDEC SPDES General Permit for Storm Water Discharges from Construction Activities (General Permit) includes, but is not limited to, completing the following activities:

- i. Retaining a copy of this SWPPP including text, appendices, and drawings at the site until the date of final stabilization;
- ii. Posting a copy of the NOI and a project description at the construction site for public viewing;
- iii. Maintaining the SWPPP current;
- iv. Submitting a certified Notice of Termination when the site has finally been stabilized and discharges from construction activities have been eliminated;

- v. Maintaining a copy of this SWPPP by the operator for three years following the date of final stabilization.

The contractor shall refer to the NYSDEC SPDES General Permit for Storm Water Discharges from Construction Activities (Appendix E) for a complete listing of permit requirements for compliance.

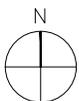
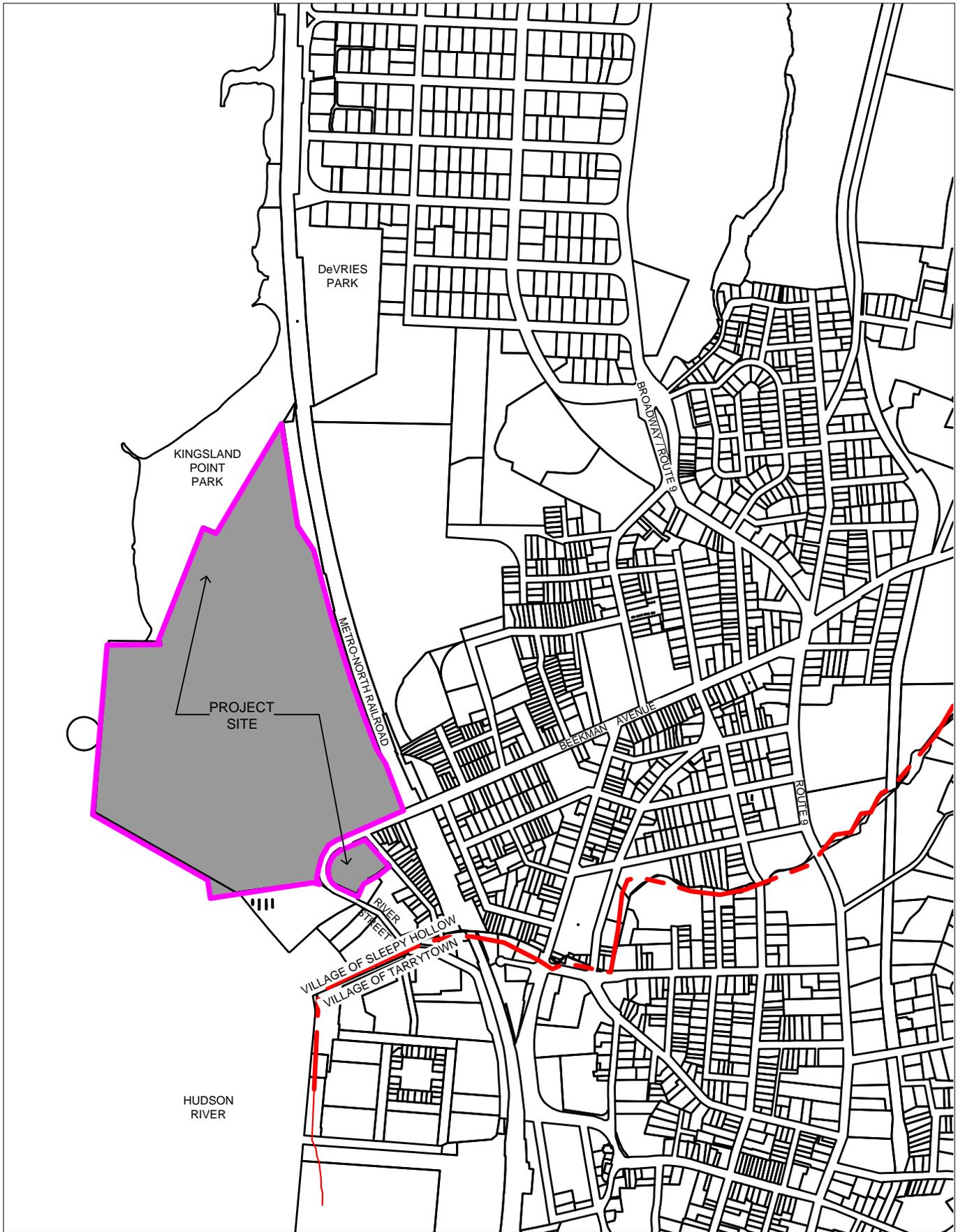
b. Project Location

The project site is located in the Village of Sleepy Hollow, New York at the westerly end of Beekman Avenue at its intersection with River Street and west of the Metro North railroad tracks. Refer to the Site Location Map, Figure 1, presented on the following page.

c. Project Site Description

The project site is comprised of two (2) parcels separated by Beekman Avenue. The approximate 66-acre West Parcel located north of Beekman Avenue and the approximate 1.7-acre South parcel located south of Beekman Avenue.

The site is now vacant land. Through the years the site has housed numerous automotive manufacturing uses, with the site last occupied by the former General Motors Assembly Plant. The assembly plant buildings were dismantled and removed from the site by General Motors from the period of 1996 through 1999. The outlines of the plant remain visible today in the concrete foundations and asphalt parking areas remaining on the Site.



SITE LOCATION MAP

EDGE-ON-HUDSON
SLEEPY HOLLOW NY

e. Project Description

The proposed redevelopment of the site will provide opportunities for stormwater infiltration through new pervious areas consisting of planting areas, lawns, and low gradient slopes, while maintaining the general drainage patterns of the existing site.

i. Stormwater Management Plan – The stormwater management plan has been developed without any peak flow attenuation since runoff from the Site discharges directly to the Hudson River, a fourth order stream. The water quality treatment objectives of NYSDEC for redevelopment project's has been attained through the reduction of on-site impervious cover.

(1) Stormwater Quantity – A detailed analysis of the redevelopment project's pre- and post-stormwater quantity conditions for the Project's approved Riverfront Development Concept Plan (RDCP) is presented in Section 3, Stormwater Management Report, prepared by Divney Tung Schwalbe, LLP. Also provided in Section 3 is a Technical Supplement which demonstrates how the Phase 1 Site Plan is consistent with the overall RDCP stormwater strategy.

(2) Stormwater Quality – A detailed analysis of the redevelopment project's pre- and post-stormwater quality conditions for the Project's RDCP is presented in Section 3, Stormwater Management Report, prepared by Divney Tung Schwalbe, LLP. Also provided in Section 3 is a Technical Supplement which demonstrates how the Phase 1 Site Plan is consistent with the RDCP stormwater strategy.

(3) Maintenance of Temporary and Permanent Structures and Practices

(a) Temporary – Temporary structures and practices, as described in the Erosion & Sediment Control Plan drawings, will be installed and maintained through the duration of the project's construction. As required by the General Permit, structures and practices located in disturbed areas of the site will be inspected by a qualified individual at least every seven days. Areas of the site that have been finally stabilized will be inspected at least every month until the entire site has been finally stabilized. Following each inspection, a certified inspection report will be completed. Based on the results of the inspections, appropriate revisions to the SWPPP and its implementation will be completed within seven calendar days following the inspection. Appendix D of this SWPPP includes a blank inspection report form to be used to complete the inspections and report. Completed reports will be added to Section 6 and retained as part of this SWPPP.

(b) Permanent – Permanent structures and measures implemented to control the project's quantity and/or the quality of the stormwater will require regular inspections and maintenance. These include permanent erosion control practices (soil stabilization), water quality control practices (i.e. bioretention filters and rain gardens), and related stormwater flow controlling structures (culverts, catch basins, etc.). Table 1 below identifies the frequency with which inspections of stormwater management measures should occur and the extent of maintenance required. The project operator will be responsible for inspecting and maintaining permanent stormwater management structures and practices.

Table No. 1
Stormwater Management Inspections & Maintenance of Permanent Structures

| Structure Or Practice | Minimum Inspection Frequency | Conditions to be Identified | Maintenance Required |
|------------------------------------|---|--|--|
| Paved Areas | Semi- Annually | Pavement Damage | Repair or repave; Remove sand |
| Swales | Monthly | Weeds, Sediment Accumulation | Mulch and weed with landscaping, Remove sediment when storage capacity reduced by 10% or + |
| Vegetated Areas | Monthly | Erosion | Regrade & vegetate as necessary |
| Drainage Pipes | Monthly | Debris Accumulation | Remove debris when cross-sectional area of pipe is reduced by 10% or + |
| Catch Basins, Inlets & Manholes | Monthly | Sediment Accumulation | Remove sediment min. of 2x year or when storage reduced by 10% or + |

As outlined in the Village of Sleepy Hollow Code, Chapter 450-9 Article XVI Stormwater Control, a formal maintenance agreement and guarantee will be established between the Owner and the Village of Sleepy Hollow.

- (c) In accordance with the NYSDEC and the Village of Sleepy Hollow requirements, regular maintenance of the site infrastructure will be performed by the Owner. Stormwater management inspections and maintenance of permanent structures will be performed on a regular basis as is outlined in Table 1 above or as required after a significant storm event. Maintenance of areas to be dedicated to the Village will be maintained by the Owner until such time that dedication is accepted by the Village at which time the inspection and maintenance responsibility will shift to the Village of Sleepy Hollow.

- (d) Use of Fertilizer – Fertilizer on site will be used only in strict conformance with the 2012 NYS Dishwasher Detergent and Nutrient Runoff Law. Information on the legislation is appended to the end of this section.

- ii. Project Permits and Approvals Being Sought

Procedures and requirements specified for this project shall comply with all requirements applicable to protecting surface water and groundwater.

- (1) Permits and Approvals Granted

- (a) Village of Sleepy Hollow

- (i) 2011 Special Permit and Riverfront Development Concept Plan Approval
- (ii) 2015 Filling Operations Permit

- (b) New York State Department of Environmental Conservation

- (i) Brownfield Clean-up Program Certificate of Completion
- (ii) Environmental Easement and Site Management Plan
- (iii) SPEDES General Permit for Stormwater Discharges from Construction Activity (for Filling Operations Permit)

- (2) Permits and Approvals Being Sought

- (a) Village of Sleepy Hollow

- (i) Planning Board—Phase I Site Plan and Subdivision Approval
- (ii) Zoning Board of Appeals — Height Variance
- (iii) Village Architect for MS4—Stormwater Pollution Prevention Plan (SWPPP) in compliance with SPDES General Permit for Stormwater Discharges from Construction Activity (for Phase I Site Plan construction activity)

(b) County of Westchester

- (i) Health Department – Realty Subdivision Approval
- (ii) Health Department — Approval of Plans for Water and Sewer main Extensions

(c) New York State Department of Environmental Conservation

- (i) Tidal Wetlands Permit (Phase 1 Site Plan Stormwater Outfall)

New York State Department of Environmental Conservation

Division of Water

Bureau of Water Resource Management, 4th Floor

625 Broadway, Albany New York 12233-3508

Phone: (518) 402-8086 • Fax: (518) 402-9029

Website: www.dec.ny.gov



Joe Martens
Commissioner

Dear Municipality:

The 2010 NYS Dishwasher Detergent and Nutrient Runoff Law includes provisions covering the sale and use of fertilizers containing phosphorus which become effective on January 1, 2012.

The law:

- Prohibits use of fertilizer containing phosphorus on non-agricultural lawns and turf, except where a new lawn is being established or where a soil test indicates the need for additional phosphorus.
- Prohibits application of any fertilizer for non-farm use between December 1st and April 1st.
- Restricts application of any fertilizer within 20 feet of a water body or on paved surfaces, with limited exceptions.
- Requires that retailers display phosphorus-containing fertilizers separately from non-phosphorus fertilizers and post an educational sign where the phosphorus fertilizer is displayed.

The provisions of this new law may require a change in municipal best management practices and operating procedures. DEC encourages municipal staff to familiarize themselves with the law and plan ahead to comply.

Phosphorus causes impairments in over 100 waterbodies in New York State. These requirements will result in reducing the amount of phosphorus in stormwater runoff and improve water quality in these affected waterbodies.

For full information about the law please visit <http://www.dec.ny.gov/chemical/67239.html>.

Sincerely,

Robert M. Capowski, P.E.
Watershed Implementation Section



Dishwasher Detergent and Nutrient Runoff Law

The Dishwasher Detergent and Nutrient Runoff Law (Chapter 205 of the laws of 2010), was signed into law by the Governor on July 15, 2010. This law will improve water quality in New York by reducing phosphorus runoff into the State's waterbodies. It will also reduce costs to local governments and private entities required to remove excess phosphorus from stormwater and wastewater, and will improve recreational and other uses of the state's waters.

The Dishwasher Detergent and Nutrient Runoff Law amends section 35-105 and adds a new Title 21 to Article 17 of the Environmental Conservation Law.

Important information for Pesticide Applicators and Commercial Permittees.

What will be required?

Lawn Fertilizer

Beginning on January 1, 2012, the law will:

- Prohibit the use of phosphorus lawn fertilizer unless establishing a new lawn or a soil test shows that the lawn does not have enough phosphorus.
- Prohibit the application of lawn fertilizer on impervious surfaces and require pick up of fertilizer applied or spilled onto impervious surfaces.
- Prohibit the application of lawn fertilizer within 20 feet of any surface water except: where there is a vegetative buffer of at least 10 feet; or where the fertilizer is applied by a device with a spreader guard, deflector shield or drop spreader at least three feet from surface water
- Prohibit the application of lawn fertilizer containing nitrogen, phosphorus, or potassium between December 1st and April 1st
- Require retailers to display phosphorus containing fertilizers separately from non-phosphorus fertilizers and to post an educational sign where the phosphorus fertilizers are displayed.

This provision DOES NOT impact agricultural fertilizer or fertilizer for gardens

- **Picking the Right Fertilizer**
Fertilizer labels have three bold numbers. The number in the middle is the percentage of phosphorus in the product, e.g. 22-0-15. Use of products with 0.67 in the middle or lower is not restricted. Products with a number higher than 0.67 may only be used if a new lawn is being established or a soil test indicates it is necessary.
- **Getting a Soil Test**
The NYS DEC recommends that soil testing be done by a laboratory that routinely performs soil nutrient analysis testing. The results tend to be more accurate than home test kits and most labs will also provide fertilizer application recommendations. Labs can be found through a web search or through the local Cornell University County Cooperative Extension office. Please see "Offsite Links" at the right. Tests generally cost in the \$10 to \$20 range (in 2010). Soil may also be tested using a test kit, but these tests tend to be less accurate and do not come with fertilizer recommendations.

Links

- Frequently Asked Questions about Lawn Fertilizer requirements
- Fertilizer newsletter article - help others learn about these requirements by using this information in your organization's newsletter (PDF) (70 KB)
- Important information for Pesticide Applicators and commercial permittees
- Lawn Fertilizer Educational Sign for Retailers (color) (PDF) (133 KB)
- Lawn Fertilizer Educational Sign for Retailers (black and white) (PDF) (121 KB)
- Text of Lawn Fertilizer Law

Dishwasher Detergent

Beginning August 14, 2010, the law prohibits the sale of newly stocked, phosphorus-containing dishwasher detergents for household use. Retailers may sell-through any inventory of phosphorus-containing dishwasher detergent in stock as of August 14 for 60 days, or until October 13, 2010.

- Starting on July 1, 2013, the law prohibits the sale of phosphorus-containing dishwasher detergents for commercial use.
- There is no change to the phosphorus limits for detergents used to clean dairy equipment or food processing equipment.

Links

- Frequently Asked Questions about dishwasher detergent requirements
- Text of Dishwasher Detergent Law
- Dishwasher detergent newsletter article - help others learn about these requirements by using this information in your organization's newsletter (PDF) (92 KB)

Who is impacted?

- Manufacturers of automatic dishwasher detergents
- Manufacturers of lawn fertilizer products
- Retailers and distributors of dishwasher detergents and lawn fertilizers
- Landscapers and lawn care professionals
- Pesticide applicators
- Households, consumers, anyone managing lawns

Why is this law important?

- **Phosphorus impacts our water.** Phosphorus enters the environment in many ways. Wastewater treatment plants (WWTP), defective septic systems, agricultural runoff, fertilizer, manure, decomposing leaves, and urban/suburban runoff all contribute phosphorus to the environment. Phosphorus going into the State's water has been linked to: reductions in oxygen in waterbodies necessary for fish to breathe; algae that turn water bodies green; and algae and algae by-products that degrade drinking water.
- **Detergents and lawn fertilizer can have unnecessary phosphorus.** New York took action to reduce phosphorus in most household products in the early 1970's, eliminating its use in hand dish soap and laundry detergents but exempted dishwasher detergent, which was not very common at the time. Fertilizers contain phosphorus to help spur plant growth. However, in many

areas of the State, sufficient phosphorus to foster lawn growth is naturally occurring or exists due to many years of over fertilization. Phosphorus from dishwasher detergents and lawn fertilizer has the potential to significantly affect the New York State's water resources.

- Dishwasher detergents may contain up to 9% phosphorus and can account for 9% to 34% of total phosphorus in municipal wastewater.
- Lawn fertilizer contains up to 3% phosphorus and can account for up to 50% of the soluble phosphorus in stormwater runoff from lawn areas.

While automatic dishwasher detergent and lawn fertilizer are only two sources of phosphorus, they are sources that are easy and inexpensive to control.

- **Local governments can save money at no cost to consumers.** This law will help local governments to reduce phosphorus loads and meet water quality standards in areas where there is excessive phosphorus. Over 100 waterbodies in New York are impaired due to phosphorus including: the East of Hudson New York City Watershed; Lake Champlain; Onondaga Lake; Cayuga Lake; parts of Lake Ontario; and the Chesapeake Bay watershed.
 - Removing phosphorus at a WWTP costs approximately \$1 to \$20 per pound. By reducing levels of phosphorus entering the environment, communities can save through the use of less chemical treatment and the generation of less sludge.
 - Preventing phosphorus from getting into stormwater is cost effective compared to building phosphorus control systems, which can be very costly to municipalities (local taxpayers).

What other states have a law similar to New York's Dishwasher Detergent and Nutrient Law?

Dishwasher Detergents:

Sixteen states have enacted a law that requires phosphorus-free household detergents starting July 1, 2010, including: Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington (State), Wisconsin.

Lawn Fertilizer:

- New York's law is modeled after legislation enacted by the State of Minnesota.
- Lawn fertilizer control laws have also been adopted by Maine, Wisconsin and Florida.

How will this new State law impact local laws that reduce phosphorus?

New York State's law will not impact existing local laws, including laws adopted in Westchester, Nassau, Suffolk and Chautauqua Counties and the Village of Greenwood Lake.

More about Dishwasher Detergent and Nutrient Runoff Law:

Important Information for Pesticide Applicators - Commercial pesticide applicators, including those operating under lawn care contract and any other person using fertilizers, including homeowners, must comply as of January 1, 2012, with the new restrictions in the NYS Dishwasher Detergent and Nutrient Runoff Law.

FAQ For Lawn Fertilizer - Phosphorus impacts our water. It enters the environment in many ways. Wastewater treatment plants (WWTP), defective septic systems, agricultural runoff, fertilizer, manure, decomposing leaves, and urban/suburban runoff all contribute phosphorus to the environment. Phosphorus going into the State's water has been linked to reductions in oxygen in waterbodies necessary for fish to breathe, algae that turn water bodies green, and algae and algae by-products that degrade drinking water.

FAQ Dish Detergent Law - Phosphorus can degrade water quality, water with excessive phosphorus that is used for drinking may need additional treatment. Phosphorus is also expensive for municipalities to remove from wastewater at the wastewater treatment plant; approximately \$1 to \$20 per pound.

Nutrient Runoff Law - ECL Article 17, Title 21 - This is the new version of the Nutrient Runoff Law, Article 17, Title 21.

Detergents & Other Household Cleansing Products Law - ECL Article 35 - This update of ECL Article 35 prohibits the sale of phosphorus-containing dishwasher detergents for commercial use.



Nutrient Runoff Law - ECL Article 17, Title 21

Effective January 1, 2012

Disclaimer:

The law below is presented as a quick reference tool. While it is believed to be accurate, it is not a certified copy of the law and therefore should not be relied upon for legal interpretation. The law as printed by Lawyers Cooperative Publishing, will continue to be the official source for legal purposes.

Section 17-2101. Definitions.

Section 17-2103. Sale or use of phosphorus fertilizer restricted.

Section 17-2105. Local fertilizer regulation.

*** § 17-2101. Definitions.**

As used in this title:

1. "Compost" means the biologically stable humus-like material derived from composting or the aerobic, thermophilic decomposition of organic matter.
2. "Fertilizer" means the same as "specialty fertilizer" as defined in section one hundred forty-three of the agriculture and markets law.
3. "Lawn" or "non-agricultural turf" means any non-crop land area that is covered by any grass species. Lawn or non-agricultural turf does not mean flower or vegetable gardens, pasture, hayland, trees, shrubs, turf grown on turf farms, or any form of agricultural production.
4. "Phosphorus fertilizer" means fertilizer in which the available phosphate (P205) content is greater than 0.67 percent by weight, excluding compost.

* NB Effective January 1, 2012

*** § 17-2103. Sale or use of phosphorus fertilizer restricted.**

1. No person shall apply or authorize any person by way of service contract or other arrangement to apply in this state any phosphorus fertilizer on lawn or non-agricultural turf, except when:
 - a. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
 - b. The phosphorus fertilizer is used for newly established lawn or non-agricultural turf during the first growing season.
2. Any retailer selling or offering for sale phosphorus fertilizer for use on lawn or non-agricultural turf shall comply with the retail sale requirements in section one hundred forty-six-g of the agriculture and markets law related to display of phosphorus fertilizer and the posting of educational signs.
3. No person shall apply fertilizer to:
 - a. lawn or non-agricultural turf between December first and April first, annually;
 - b. any impervious surface including parking lots, roadways, and sidewalks. If such application occurs, the fertilizer must be immediately contained and either legally applied to lawn or non-agricultural turf or placed in an appropriate container; or

- c. any lawn or non-agricultural turf on any real property within twenty feet of any surface water, except that this restriction shall not apply where a continuous natural vegetative buffer, at least ten feet wide, separates an area of lawn or non-agricultural turf and surface water, and except that, where a spreader guard, deflector shield or drop spreader is used to apply fertilizer, such application may not occur within three feet of any surface water. This paragraph shall not apply to an application of fertilizer for newly established lawn or non-agricultural turf during the first growing season.
4. Nothing in this title shall impair or supersede the authority of the commissioner of agriculture and markets pursuant to articles ten and twenty-five-AA of the agriculture and markets law.
* NB Effective January 1, 2012

*** § 17-2105. Local fertilizer regulation.**

A local government may enact more stringent standards for the application of fertilizer for lawn and non-agricultural turf than established in this title, provided, however, that any local government that enacts such standards after January 1, 2011 must demonstrate to the department prior to enactment that additional or more stringent standards are necessary to address local water quality conditions.

* NB Effective January 1, 2012

The Environmental Conservation Law is amended by adding a new section to 71-1945 (Enforcement) to read as follows:

*** § 71-1945. Enforcement of title 21 of article 17.**

1. Except as otherwise provided in this section, any person who violates any provision of title 21 of article 17 of this chapter or any rule, regulation or order issued thereunder shall be liable to the people of the state for a civil penalty not to exceed five hundred dollars for a first violation, and not to exceed one thousand dollars for each subsequent violation, to be assessed by the commissioner after a hearing or opportunity to be heard.
2. Any owner or owner's agent, or occupant of a household who violates any provision of title 21 of article 17 of this chapter or any rule, regulation or order issued thereunder shall, for a first violation be issued a written warning and be provided educational materials. Upon a second violation, the owner or owner's agent, or occupant of a household shall be liable to the people of the state for a civil penalty not to exceed one hundred dollars, and for any subsequent violations shall be liable to the people of the state for a civil penalty not to exceed two hundred fifty dollars. No owner or owner's agent of a household shall be held liable for any violation by an occupant. Such penalties may be assessed by the commissioner after a hearing or opportunity to be heard.

* NB Effective January 1, 2012

The title heading of Title 19 of Article 71 of the Environmental Conservation Law, as amended by chapter 400 of the laws of 1973, is amended to read as follows:

ENFORCEMENT OF TITLES 1 THROUGH 11 AND 15 THROUGH 21 INCLUSIVE OF ARTICLE 17 AND SPILLS OF BULK LIQUIDS

The Agriculture and Markets Law is amended by adding a new section 146-g to read as follows:

§ 146-g. Retail sale.

Any retailer who sells or offers for sale to consumers specialty fertilizer in which the available phosphate (P205) content is greater than 0.67 percent, shall:

- a. display such phosphorus-containing specialty fertilizer separately from non-phosphorus specialty fertilizer; and post in the location where phosphorus-containing specialty fertilizer is displayed a clearly visible sign which is at least eight and one-half inches by eleven inches in size and states that: "Phosphorus runoff poses a threat to water quality. Therefore, under New York law, phosphorus-containing fertilizer may only be applied to lawn or non-agricultural turf when:
 1. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
 2. The fertilizer is used for newly established lawn or non-agricultural turf during the first growing season."

This act shall take effect on the thirtieth day after it shall have become a law, provided, however, that:

persons may continue to use phosphorus fertilizer on lawn and Nonagricultural turf after January 1, 2012, if the fertilizer was purchased prior to such effective date.



FAQ For Lawn Fertilizer

What does the law require?

- Phosphorus fertilizer for lawns and non-agricultural turf:
 - The law prohibits the use of fertilizers that contain phosphorus on lawns except when a new lawn is being established or a soil test has indicated a need for additional phosphorus.
- All fertilizer for lawns and non-agricultural turf:
 - No fertilizers may be applied within twenty feet of surface water except where:
 - A minimum ten foot wide vegetative buffer exists
 - The fertilizer is applied utilizing a spreader guard/deflector shield or drop spreader 3 ft from water
 - No fertilizers may be applied between December 1 and April 1.
 - No fertilizer may be applied onto impervious surfaces (e.g. pavement). If application or spill onto an impervious surface occurs it must be contained and cleaned up or used legally applied.
- Retailers:
 - Retailers must display phosphorus fertilizer separately from non-phosphorus fertilizer and must post an educational sign near the phosphorus fertilizer.
- Municipalities:
 - Local government may enact more stringent standards for the application of fertilizer for lawn and non-agricultural turf upon demonstration to the Department that more stringent standards are necessary to address local water quality conditions.

What is a phosphorus fertilizer?

Phosphorus fertilizer has a phosphate content of more than 0.67% phosphorus by weight.

When does the law go into effect?

- The fertilizer law becomes effective on January 1, 2012; however, phosphorus fertilizer can be used after January 1, 2012 if purchased before January 1, 2012.

Who will be affected by the law?

- Manufacturers of lawn fertilizer products
- Retailers and distributors of lawn fertilizers
- Pesticide applicators
- Organic lawn care businesses and any other businesses managing lawns
- Households, consumers, anyone managing lawns



Nutrient enriched river with floating algae mats

Why is it important to address phosphorus in the waters of the State?

- Phosphorus impacts our water. Phosphorus enters the environment in many ways. Wastewater treatment plants (WWTP), defective septic systems, agricultural runoff, fertilizer, manure, decomposing leaves, and urban/suburban runoff all contribute phosphorus to the environment. Phosphorus going into the State's water has been linked to: reductions in oxygen in waterbodies necessary for fish to breathe; algae that turn water bodies green; and algae and algae by-products that degrade drinking water.
- Lawn fertilizer can have unnecessary phosphorus. Fertilizers contain phosphorus to help spur plant growth. However, in many areas of the State sufficient phosphorus to foster lawn growth is naturally occurring or exists due to many years of over fertilization. Phosphorus from lawn fertilizer has the potential to significantly affect New York State's water resources.

Why the current focus on fertilizer?

- Most soils in NYS already contain sufficient phosphorus to support turf grass growth without additional phosphorus in fertilizers.
- Phosphorus Lawn fertilizer can account for up to 50% of the soluble phosphorus in stormwater runoff from lawn areas.
- Not using phosphorus-containing products in the first place saves local tax dollars that would otherwise be spent removing phosphorus from waterbodies and wastewater that will enter waterbodies.

What are the costs associated with phosphorus in the waters of the State?

Over 100 sub-watersheds in New York State contain waters impaired by phosphorus. Phosphorus is expensive for municipalities to remove from wastewater at the wastewater treatment plant; approximately \$1 to \$20 per pound.

How can I get soils tested to see if phosphorus is needed?

Soil testing can be done in one of two ways: by a laboratory or by a do-it-yourself test kit. Laboratories that routinely perform soil nutrient analysis testing tend to produce more accurate results. Most soil nutrient analysis testing labs will also provide fertilizer application recommendations. Laboratories can be found by a web search or through the local Cornell University Cooperative Extension office. See "Links Leaving DEC's Website, at right". The cost of such laboratory tests should be in the \$10 to \$20 range (in 2010). Soil test kits readily available at lawn, garden and hardware stores may be used as well. They offer the advantage of immediate results.

How can I tell from a soil test that additional phosphorus is needed for growth of lawn or non-agricultural turf and, therefore, allowed under the law?

A soil lab will interpret the test results and will provide this information to you. Home tests typically indicate, with colorimetric test kits, phosphorus levels in soil. The test kits should be matched to a color guide to determine if there is "surplus, sufficient, adequate or deficient" phosphorus in the soil sample. Additionally, a local Cornell University Cooperative Extension office can be contacted to understand soil test results. See "Links Leaving DEC's Website", at right.

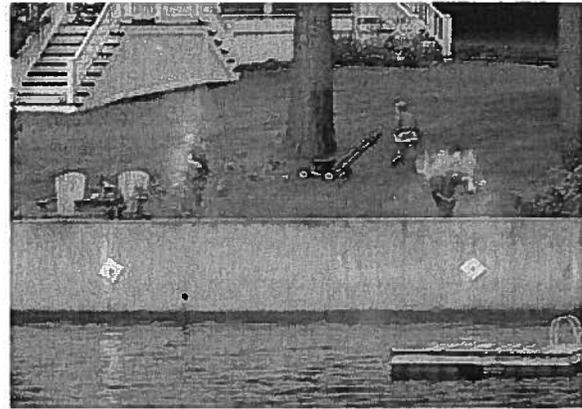
Has the Department identified a minimum required phosphorus level in soil for healthy lawn growth? If so, can phosphorus fertilizer be applied to lawns that test below this threshold?

No, a minimum threshold has not been established at this time. The Department recommends that soil samples be taken to a nutrient testing lab for analysis. However, Cornell University Soil Laboratory has conducted research to determine what phosphorus soil levels would result in improved turfgrass performance. Using the Morgan soil test procedure the analysis found no benefit to phosphorus levels above 4 parts per million.

What is the applicability of this law to hydro-seeding?

The law applies to the application of fertilizer rather than the method of application, so hydroseeding is not restricted per se. However, hydroseeding lawns or non-agricultural turf using phosphorus hydroseeding fertilizer is prohibited. The exceptions to this prohibition are:

- If an area is hydroseeded to establish a new lawn, then the application of phosphorus fertilizer is not restricted.
- If a soil test conducted in the area to be hydroseeded indicates a phosphorus deficiency, the application of phosphorus fertilizer is not restricted.



Improper fertilizer application near water body

What is a "natural vegetative buffer"?

A natural vegetative buffer is composed of planted or naturally occurring vegetation, such as trees, shrubs, legumes, or grasses.

What are the definitions of "lawn" and "non-agricultural turf"?

The Nutrient Runoff Law restricts the application of fertilizer on lawns and non-agricultural turf, where those terms are defined as follows:

"Lawn" or "non-agricultural turf" means any non-crop land area that is covered by any grass species. Lawn or non-agricultural turf does not mean flower or vegetable gardens, pasture, hayland, trees, shrubs, turf grown on turf farms, or any form of agricultural production.

Can liquid fertilizer be applied with a sprayer less than 20 feet from a waterbody?

Phosphorus fertilizer may not be applied within 20 feet of any waterbody. Sprayers are not exempted from this restriction. The exception to the 20-foot restriction on the use of fertilizer applies when using drop spreaders, spreader guards or deflector shields. These applications may be used within three (3) feet of a waterbody.

How do I know I have a sufficient vegetative buffer, between the property and the surface water, to use a fertilizer? How long does the vegetative buffer have to be?

The buffer must be located between the lawn that is receiving fertilizer and the waterbody that is being buffered. The buffer must be continuous and a minimum of ten (10) feet wide.

Can I use fertilizer without a buffer, if I apply with any type of spreader guard, deflector shield or drop spreader?

Yes, these applicators may be used within three (3) feet of a waterbody but no closer.

Would ornamental grasses be treated as turf?

If Ornamental Grasses are closely mowed, they would be subject to the law. Unmowed grasses would not be considered lawn turf.

Is phosphorus fertilizer application allowed for bare spots without soil testing?

Given the myriad of other reasons that bare spots can form, soil testing is recommended to determine the soil nutrient needs for the bare spots. However, the law allows phosphorus fertilizer to be applied to the bare spots to establish turf without soil testing. Such applications would be in accordance with the law if the area had not already been treated with phosphorus fertilizer and provided the phosphorus fertilizer is not applied to areas where turf has already been established.

The law also allows the homeowner to use compost to repair bare spots without first testing the soils.

Is the commercial application of phosphorus-containing fertilizer permitted if the products are purchased outside of NY State or on the internet?

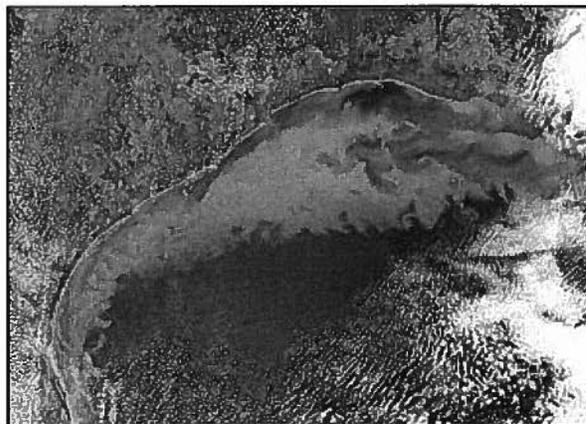
No. Only lawn fertilizer with less than 0.67% by weight phosphate content may be applied, regardless of where it was purchased.

Can commercial lawn care applicators still use fertilizer/pesticide combination products (sometimes called "weed and feeds")?

The law applies to fertilizer application and would restrict the use of "weed and feeds" where these products contain phosphorus in amounts over 0.67% phosphorus content, unless a soil test showed that the lawn needed phosphorus, or a new lawn is being established.

As a certified applicator, what if a fertilizer or pesticide/fertilizer combination product is already listed in the lawn care contracts I have with customers - do I have to revise and reissue all such contracts?

The fertilizer law reads in part: "No person shall apply or authorize any person by way of service contract or other arrangement to apply in this state any phosphorus fertilizer on lawn or non-agricultural turf." This means that, even if such a product is listed in a contract, its application is prohibited under the fertilizer law (ECL 17-2103). Also, under DEC Regulations Relating to the Application of Pesticides (6 NYCRR Part 325.40(a)(7)), a lawn care contract must be amended if certain elements of the contract change, including the list of pesticides to be applied. If a fertilizer/pesticide combination product is listed and would no longer be used or would be replaced with a pesticide product with a different name or active ingredients, then the contract must be amended to reflect that change in service.



Nutrient runoff into the Gulf of Mexico

As a business providing organic land care services, does this law apply to organic fertilizers or compost?

The law applies to phosphorus lawn fertilizer including organic phosphorus fertilizer, but the law does not apply to compost.

What if a product with more than 0.67% phosphate content is allowed by the National Organic Program - can I use it then?

A product with more than 0.67% phosphate content may only be used when establishing a new lawn or when a soil test indicates a need for additional phosphorus.

Do the restrictions on fertilizer applications regarding dates of applications, impervious surfaces, and surface water pertain to all lawn fertilizers or just phosphorus lawn fertilizers?

These restrictions apply to all lawn fertilizer application.

Is the use of phosphite-containing fungicides restricted by the Nutrient Law?

The law in question specifically targets phosphorus in lawn fertilizer. Phosphites (PO₃) in fungicides are not restricted under the Nutrient Law, but some may be restricted use pesticides which can only be used by certified pesticide applicators (check the product label and the NYS Product, Ingredient, and Manufacturer system at the University of Cornell University Cooperative Extension. See "Links Leaving DEC's Website", at right.

How can I tell the difference between a fertilizer and a phosphorus fertilizer? Where on the product label does it show how much phosphorus is in the product - to see if it has 0.67% or less phosphorus?

Fertilizer labels have three bold numbers. The first number is the amount of nitrogen (N), the second number is the amount of phosphorus oxide (P₂O₅) and the third number is the amount of potassium oxide (K₂O). A bag of 10-5-10 fertilizer contains 10 percent nitrogen, 5 percent phosphorus oxide and 10 percent potassium oxide. The law limits the amount of P₂O₅ to less than 0.67%. Therefore the phosphorus (middle number) should be less than 0.67 for the product to meet the phosphorus lawn fertilizer restriction.

Are fertilizers with labels for trees, shrubs and other plantings OK to use? Are only fertilizers used on lawns restricted?

The law does not restrict the use of phosphorus fertilizer that is intended to treat trees, shrubs or gardens.

Are compost and compost tea OK to use?

Compost and compost tea are not restricted under the new fertilizer restrictions. Products which meet the exemption for compost in the Nutrient Runoff Law are those that are composed of "biologically stable humus-like material derived from composting or the aerobic, thermophilic decomposition of organic matter." Products that contain chemically/mechanically or otherwise manipulated animal or plant manure are not eligible. Products that contain only compost as defined in the law, resulting from the aerobic, thermophilic decomposition process are eligible for the exemption. (Note that compost tea cannot be used as a pesticide in New York State; it is not a registered product.)

Do oven-dried, pelletized manure products meet the definition of compost, and the compost exemption from the law?

Any manure product that is pelletized does not meet the definition of compost, as it is "chemically/mechanically or otherwise manipulated ". Oven-dried manure has been "otherwise manipulated" as well and does not meet the definition of compost. Manure products that are oven-dried or pelletized are therefore not considered to be compost, and are not exempt from this law.

What should I do with products I already have that contain more than 0.67% phosphorus? Can I dump the product in the trash and recycle the container, or are there special disposal requirements?

There are no specific disposal requirements in the new law for phosphorus lawn fertilizer. The product may be used if it was purchased before January 1, 2012; however, should it need to be disposed, any disposal statements on the product label must be followed. In addition, businesses or other entities with larger quantities of waste fertilizer should check with the disposal facility and/or DEC regional staff to determine if the facility has applicable disposal restrictions, either in permit or imposed by the facility.

As a homeowner, is it OK if I contract with a professional applicator to use a fertilizer or pesticide/fertilizer combination product that contains phosphorus?

The law reads: No person shall apply or authorize any person by way of service contract or other arrangement to apply in this state any phosphorus fertilizer on lawn or non-agricultural turf, except when:

- a. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
- b. The phosphorus fertilizer is used for newly established lawn or non-agricultural turf during the first growing season.

I understand that lawn care companies cannot apply fertilizer between December 1st and April 1st. Can a customer legally spray a product containing Magnesium, Iron, Manganese and Zinc, or would this be considered a fertilizer and thus be restricted?

The prohibition on application of fertilizer between December 1st and April 1st applies to products that contain any of the primary macronutrients (nitrogen (N), phosphorus (P), or potassium (K)). If the product in question does not contain any of the three primary macronutrients, it could be applied during the winter months without violating this law.

"Deep root feeding" is the injection of liquid fertilizer mix into the ground about 1 to 3 feet deep around trees directly to the root zone. Is this subject to the Dec 1st to April 1st ban and subject to the .67 Phosphorous limitation ? No fertilizer is surface applied in this case. Or, can this be done at anytime of year with fertilizer higher in P than the .67 % by weight limit ??

Only fertilizer for application on Lawn or non-agricultural turf is regulated. Fertilizer for trees is not regulated. The text of the law includes this sentence from the definition for Lawn or non-agricultural turf: "Lawn or non-agricultural turf does not mean flower or vegetable gardens, pasture, hayland, trees, shrubs, turf grown on turf farms, or any form of agricultural production".

Therefore, any fertilizer applied to "flower or vegetable gardens, pasture, hayland, trees, shrubs, turf grown on turf farms, or any form of agricultural production",



Blue-green algae scum in channel catfish pond

whether surface or sub-surface, is not restricted and the fertilizer may be applied at any time of the year.

What are the requirements for the retail sign?

The NYS Department of Agriculture and Markets has revised Article 10 to read as follows:

* § 146-g. Retail sale. Any retailer who sells or offers for sale to consumers specialty fertilizer in which the available phosphate (P205) content is greater than 0.67 percent, shall:

- a. display such phosphorus-containing specialty fertilizer separately from non-phosphorus specialty fertilizer; and
- b. post in the location where phosphorus-containing specialty fertilizer is displayed a clearly visible sign, which is at least eight and one-half inches by eleven inches in size, and states that "Phosphorus runoff poses a threat to water quality. Therefore, under New York law, phosphorus-containing fertilizer may only be applied to lawn or non-agricultural turf when:
 1. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf; or
 2. The fertilizer is used for newly established lawn or non-agricultural turf during the first growing season."

NYS DEC has prepared signs in black and white and in color that retailers can laminate for in-store display and use to meet the requirements of the law. The New York State Department of Agriculture and Markets revised Article 10 is available in the right margin. See "Links Leaving DEC's Website, at right".

Do pesticide commercial permittees have to comply with the new retailer signage requirements regarding fertilizer restrictions?

The law applies to retailers who sell or offer for sale phosphorus lawn fertilizer. Any pesticide commercial permittee selling phosphorus fertilizers, including any pesticide/fertilizer combination with a phosphorus content exceeding .67, would be considered a retailer under the law and must comply with the signage requirements in Section 146-g in the State Agriculture and Markets Law.

Are these requirements part of the pesticide regulations?

No. These requirements are part of Article 17, Title 21 of New York State Environmental Conservation Law, "Nutrient Runoff", administered by the DEC Division of Water.

What will be the penalty if I use a phosphorus fertilizer or a fertilizer in a way not allowed by the law?

For an owner, owner's agent, or occupant of a household, the penalties are: issuance of a written warning with educational materials for a first violation; a fine of up to \$100 for a second violation; and fines up to \$250 for subsequent violations.

The penalties for all others are: a fine up to \$500 for a first of violation; and fines up to \$1000 for subsequent offenses.

Where can I get help on how to know which products are OK?

For further information, please call New York State Department of Environmental Conservation, Bureau of Water Resource Management at 518-402-8112.



Important Information for Pesticide Applicators

- Commercial pesticide applicators, including those operating under lawn care contract and any other person using fertilizers, including homeowners, must comply as of January 1, 2012, with the new restrictions in the NYS Dishwasher Detergent and Nutrient Runoff Law.
- The new restrictions apply to use of fertilizer/pesticide combination products (commonly known as "weed and feeds").
- Commercial permittees that sell fertilizer/pesticide combination products or fertilizers alone must comply with the new retailer signage requirements.
- Under the law, use of fertilizer that contains up to 0.67% phosphorus is not restricted. Fertilizer containing more than 0.67% phosphorus can only be used if a new lawn is being established or a soil test indicates it is necessary.
- Any person purchasing fertilizer/pesticide combination products after January 1, 2012, should read the product label to ensure the product purchased contains 0.67% or less phosphorus.

TAB 2
CONSTRUCTION ACTIVITY DESCRIPTION

2. CONSTRUCTION ACTIVITY DESCRIPTION

a. Project Operator

The Project Operator is required to comply with all conditions of the NYSDEC General Permit GP 0-15-002. The Project Operator will be responsible for the maintenance of the permanent stormwater structures.

LIGHTHOUSE LANDING VENTURE, LLC

1270 Avenue of the Americas

New York, NY 10020

b. Project Contractors

All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. The construction manager and designated subcontractor will be responsible for the installation and maintenance of all temporary stormwater and erosion control. They will be responsible for the installation of the permanent stormwater measures and the maintenance during construction.

i. Construction Manager

To be determined.

ii. Earthwork/Sitework

To be determined.

c. Project Engineers:

The Design Engineer is responsible for the development of the Stormwater Management Report and Stormwater Pollution Prevention Plan as required by the NYSDEC General Permit GP 0-15-002. The Field Engineer is responsible for conducting inspections and maintaining the SWPPP as required in the SWPPP and the NYSDEC General Permit GP 0-15-002.

Design Engineer:

Divney Tung Schwalbe, LLP
One North Broadway
White Plains, NY 10601

Field Engineer:

To be determined.

d. Construction Program

i. Preliminary Project Construction Phasing

Full build-out of the Project is expected to be completed in five (5) construction phases over a ten (10) year period.

In total, the planned mixed-use redevelopment project proposes to construct in combination on the approximate 66.5-acre West Parcel and approximate 2-acre South Parcel the following:

- 1177 residential units, including:
 - 204 Townhouse Units
 - 973 Multi-Family Residential Units
- 137,000 SF of retail space
- 35,000 SF of office space
- 140-Room Hotel Use

The Phase 1 Site Plan and the subject of this SWPPP will consist of the construction of approximately 306 of the planned 1177 residential units and is described in greater detail below.

(1) Phase 1 – Residential Development (approximately 306 residential units)

The Phase 1 development area will be almost entirely constructed on the approximate 66.5-acre West Parcel, though the construction of a new roundabout and existing utility upgrades along Beekman Avenue will involve some disturbance of the existing public right-of-way and approximate 2-acre South Parcel.

Work of the Phase 1 Site Plan will include the demolition of the existing site infrastructure (building foundation systems, building slabs, pavement areas, existing train tracks, and utility infrastructure, etc.) on an approximate 24-acre portion of the existing West Parcel. Further, the work will be limited to areas of the Site necessary to support the construction of approximately 234 residential units in six (6) new multi-family residential buildings, approximately 72 Townhouse units, and both access and open space areas associated therewith. Refer to the Phase 1 Site Plan presented on the following page.

During construction sequencing the soil disturbance areas would be limited to 5 acres at a time until temporary or permanent stabilization performed, unless prior written authorization is obtained from the Village of Sleepy Hollow in its capacity as the regulating MS4.

(2) Phases 2 through 5 – Mixed Use Development

The planned construction activity in each of the four (4) subsequent phases is yet to be determined and is likely to be driven by future market conditions. However, like the Phase 1 Site Plan development, each future phase of development will be designed and presented to the Village of Sleepy Hollow Planning Board for Site Plan Approval.

ii. Construction Activities

The start of Phase 1 construction activity is anticipated to begin in the late Summer/early Fall of 2015. Note that site preparation activities approved by the Village of Sleepy Hollow Planning Board in April, 2015 may be on-going at the time Phase 1 Site Plan construction activities commence.

The project will maintain a general preliminary construction sequence as outlined:

(1) Site Preparation and Erosion Control

Prerequisite to begin activities: All approvals obtained to include NYSDEC SPDES coverage. Conduct a preconstruction meeting with owner's representative, site engineer, general contractor, site contractor, and Village Engineer or representative.

Cumulative Duration for all sub-phases: 4 weeks

- (a) Stake-out erosion control improvements and limits of disturbance
- (b) Installation of perimeter erosion and sediment control devices
- (c) Setup of staging areas within paved areas
- (d) Install stone construction entrance
- (e) Construct sediment traps

(2) Material Import and Stockpile (Activity May Be On-going At Start of Phase 1 Construction)

Prerequisite to begin activities: Complete all site preparation and erosion control activities outlined in Item (1) above.

Cumulative Duration for all sub-phases: 6 to 12 months

- (a) Import select fill material after receipt of NYSDEC approval of the source material.
- (b) Begin demolition of site features (concrete slabs, pavement, etc.) as required to receive imported fill material.
- (c) Transport demolition material to on-site material management stockpiles for future processing and/or recycling
- (d) Place and compact import material in area of demolition to re-establish cap in accordance with NYSDEC requirements.
- (e) Apply temporary stabilization to stockpile.

(3) Site Clearing

Prerequisite to begin activities: Complete installation of sediment traps, perimeter silt fence, and construction entrance.

Cumulative Duration for all sub-phases: 3 months

- (f) Disconnect Existing Utilities
- (g) Begin pavement and building demolition
- (c) Tree clearing
- (d) Remove stumps and grub
- (e) Construct and stabilize construction haul roads

(4) Mass Grading

Prerequisite to begin activities: Stabilize construction staging area.

Cumulative Duration for all sub-phases: 3 to 6 months

- (a) Earthwork cut to fill, including the installation of the required demarcation barrier as required by the approved Site Management Plan.
- (b) Install fill sections in to be dedicated right-of-way areas, building pad sites, and parking areas
- (c) Excavate building foundations

(5) Building Construction and Utilities

Prerequisite to begin activities: Complete mass grading.

Cumulative Duration for all sub-phases: 15 to 18 months

- (a) Continue building construction
- (b) Remove existing utilities
- (c) Commence with on-site utility installation
- (d) Install curbs and sidewalks
- (e) Install asphalt base course

(6) Paving and Landscaping

Prerequisite to begin activities: All utilities installed. Asphalt base course installed.

Cumulative Duration for all sub-phases: 3 to 4 months

- (a) Continue building interior
- (b) Remove all silt and collected debris from temporary measures
- (c) Install asphalt top coat
- (d) De-compact soil as required
- (e) Plant water quality measures
- (f) Install landscaping
- (g) Topsoil and seed all landscaped areas, achieve temporary stabilization
- (h) Project site work complete, final site stabilization achieved
- (i) Remove erosion and sediment control barriers

Additional information regarding construction activities is provided on the Phase 1 Site Plan Erosion and Sediment Control drawings.

e. Erosion and Sediment Control

Erosion and sedimentation related impacts will be minimized by controlling runoff and minimizing erosion, and by collecting suspended sediment before it leaves the site. Clean runoff will be diverted away from disturbed areas and sediment laden runoff will be directed to sediment traps. Only those areas under construction will be opened and exposed. Disturbed areas will be stabilized preceding storm events and/or immediately following construction activities in the area. Suspended sediment in runoff will be filtered and/or settled out via silt fence, sediment traps and other measures.

All slopes of 3:1 or greater that are disturbed during construction activities shall be stabilized immediately after final grading of the areas. These areas shall be completed with placement of topsoil followed immediately with placement of jute mesh or erosion control blankets and grass seed to stabilize the slopes. Jute mesh or erosion control blankets, where employed, shall be installed and pinned to the slopes in accordance with the Manufacturer's

requirements. Temporary erosion and sediment stabilization methods shall be applied as required during construction activities on slopes, prior to final grading activities occurring.

Erosion and sediment control for the project shall be implemented as specified on the Erosion and Sediment Control Plan drawings. Suitable quantities of erosion and sediment control measures, including, but not limited to, mulch/woodchips, erosion control blankets, hydroseed with tackifier and granular subbase material will be readily available on site for implementation as needed throughout the construction of the project. No more than five acres will be disturbed at one time unless a “five-acre” waiver has been approved by the Village of Sleepy Hollow in its capacity as the regulating MS4.

f. Colloidal Soils

In the event that colloidal soils are encountered during construction that cannot be settled out through typical erosion control measures, the sediment trap outlets will be modified to allow manual operation. Stormwater runoff will be retained in the sediment traps to allow the colloidal soils to settle out. Prior to forecasted storm events, the retained stormwater will be released at a controlled rate through a filter to provide capacity for the next storm. Flocculants may not be used without prior approval from the NYSDEC and the Village of Sleepy Hollow.

g. Construction Refuse Control

All contractors working on the site will provide adequate trash containment services for the construction site at the start of work to maintain a clean, debris-free work area. Typical facilities may be covered containers with openings three inches or smaller or approved equal, and will be emptied on a regular basis. Refuse will be removed from site via solid-waste contractor and be recycled or disposed per Federal, State and local requirements. Refuse will not be disposed on site.

h. List of Drawings

The following is a list of the Phase 1 Site Plan drawings dated May, 2015 (or latest revision thereto), prepared by Divney Tung Schwalbe that are included herein by reference and made a part of this document.

- Cover Sheet
- SP-0.1 Master Plan
- SP-0.2 Phase 1 Overall Site Plan
- SP-1.1 – SP-1.3 Site Layout Plans
- SP-2.1 – SP-2.3 Site Grading Plans
- SP-3.1 – SP-3.3 Site Utility Plans
- SP-4.1 – SP-4.3 Site Landscape Plans
- SP-5.1 – Road Profiles
- SP-6.1 – SP-6.4 Utility Profiles
- SP-7.1 – SP-7.3 Erosion and Sediment Control Plans
- SP-7.4 Erosion and Sediment Control Details
- SP-8.1 – SP-8.3 Site Details
- EX-1.1 – EX-1.3 Existing Condition Plans

i. List of Relevant Documents

The following is a list of relevant documents incorporated herein by reference and made part of this SWPPP.

1. Site Management Plan dated December 2013, prepared by Arcadis for General Motors, LLC.
2. Construction Management Plan dated February 5, 2015, prepared by Divney Tung Schwalbe, LLP for Lighthouse Landing Venture, LLC.

TAB 3

APPENDIX A - STORMWATER MANAGEMENT REPORT

EDGE-ON-HUDSON
RDCP WITH PHASE 1 SITE PLAN
Village of Sleepy Hollow, New York

STORMWATER MANAGEMENT
REPORT

Prepared for the Fulfillment of:

New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from Construction Activities
Permit No. GP-0-15-002

Prepared by:

Divney Tung Schwalbe, LLP
One North Broadway, Suite 1407
White Plains, NY 10601

May 2015

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

STORMWATER MANAGEMENT REPORT

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**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

STORMWATER MANAGEMENT REPORT

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Executive Summary

This Stormwater Management Report addresses potential stormwater impacts and mitigation measures associated with the proposed Edge-On-Hudson mixed-use development in the Village of Sleepy Hollow, New York. The site is made up of two parcels of land which are bordered by the Hudson River to the west, Kingsland Point Park to the north, a mixed-use residential and industrial area to the south, and the Continental Street/Kendal Avenue residential neighborhood and Village owned and Village DPW utilized 37-acre East Parcel to the east. The Metro-North Hudson Division railroad line passes along the east side, while Beekman Avenue separates the West (66.3 acres) and South (1.7 acres) parcels. The project is to be located at the former General Motors plant and consists of approximately 68 acres of previously developed land. The proposed project will include residential, retail, office and open spaces uses.

The stormwater management design of the redeveloped facility adheres to a five step process outlined by the New York State Department of Environmental Conservation's (NYSDEC) New York State Stormwater Management Design Manual (NYSSMDM), dated January 2015. The following report is a summary of the strategies employed to redevelop the existing site while meeting the stormwater regulations and requirements included in the NYSDEC SPDES General Permit GP-0-15-002. The redevelopment plan for the site studied herein consists of the previously approved RDCP plan with the proposed Phase 1 Site Plan inset.

Through the use of proposed site planning methods and reduction in impervious surfaces at the redeveloped site, water quality volume requirements for the site will be met. In addition, the total runoff volume from the redeveloped site will be reduced due to a reduction in impervious area and the addition of new planting areas to promote infiltration into the ground. All stormwater runoff will eventually discharge to the Hudson River flowing either overland or through the storm system to four existing outfall locations.

Refer to the Phase 1 Supplement attached for a study of the Phase 1 redevelopment area only and its conformance with the overall stormwater plan to meet stormwater requirements.

I. Site Planning

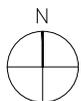
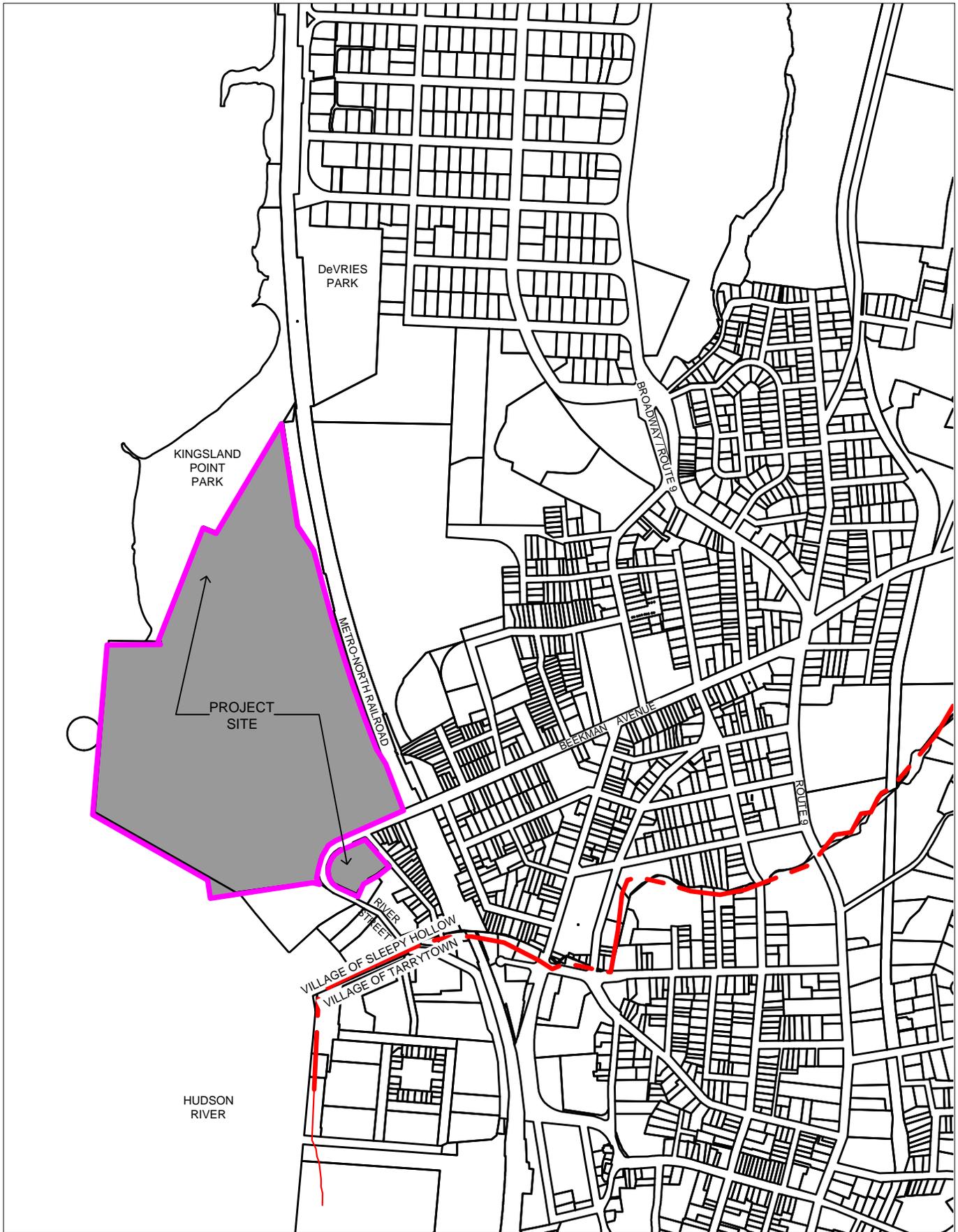
A. Site Location

The proposed Edge-On-Hudson mixed-use development is located in the Village of Sleepy Hollow, New York. The site is made up of two parcels of land which are bordered by the Hudson River to the west, Kingsland Point Park to the north, the Metro-North Hudson Division railroad line to the east, and a mixed-use residential and industrial area to the south. Beekman Avenue separates the West (66.3 acres) and South (1.7 acres) parcels.

B. Existing Site Conditions:

The West Parcel has three storm sewer outfall pipes that collect overland and piped flows and discharges into the Hudson River. The South Parcel feeds a collection system through River Street, which also collects runoff from Beekman Avenue and discharges to the Hudson River. The Project Site, located at the former General Motors plant, consists of approximately 68 acres of previously developed land and currently is predominantly covered by former assembly plant floor slabs and asphalt parking areas.

An Existing Drainage Conditions Map, Figure SWM-2, has been prepared to identify the existing watershed areas, drainage patterns, and discharge points of the Project Site. The West parcel is comprised of three sub-watersheds for stormwater flow evaluation each discharging through the three separate outfalls, while the South parcel discharges to Design Point 4 through the River Street collection system. All existing outfalls discharge to the Hudson River. The entire existing study watershed, approximately 68.87 acres in size, includes approximately 68.52 acres of impervious surfaces which accounts for almost 100% of the study area. A portion of the site is located within the 100-year flood zone, and FEMA's Preliminary Flood Map issued as an advisory map in December 2014 has been provided for reference.

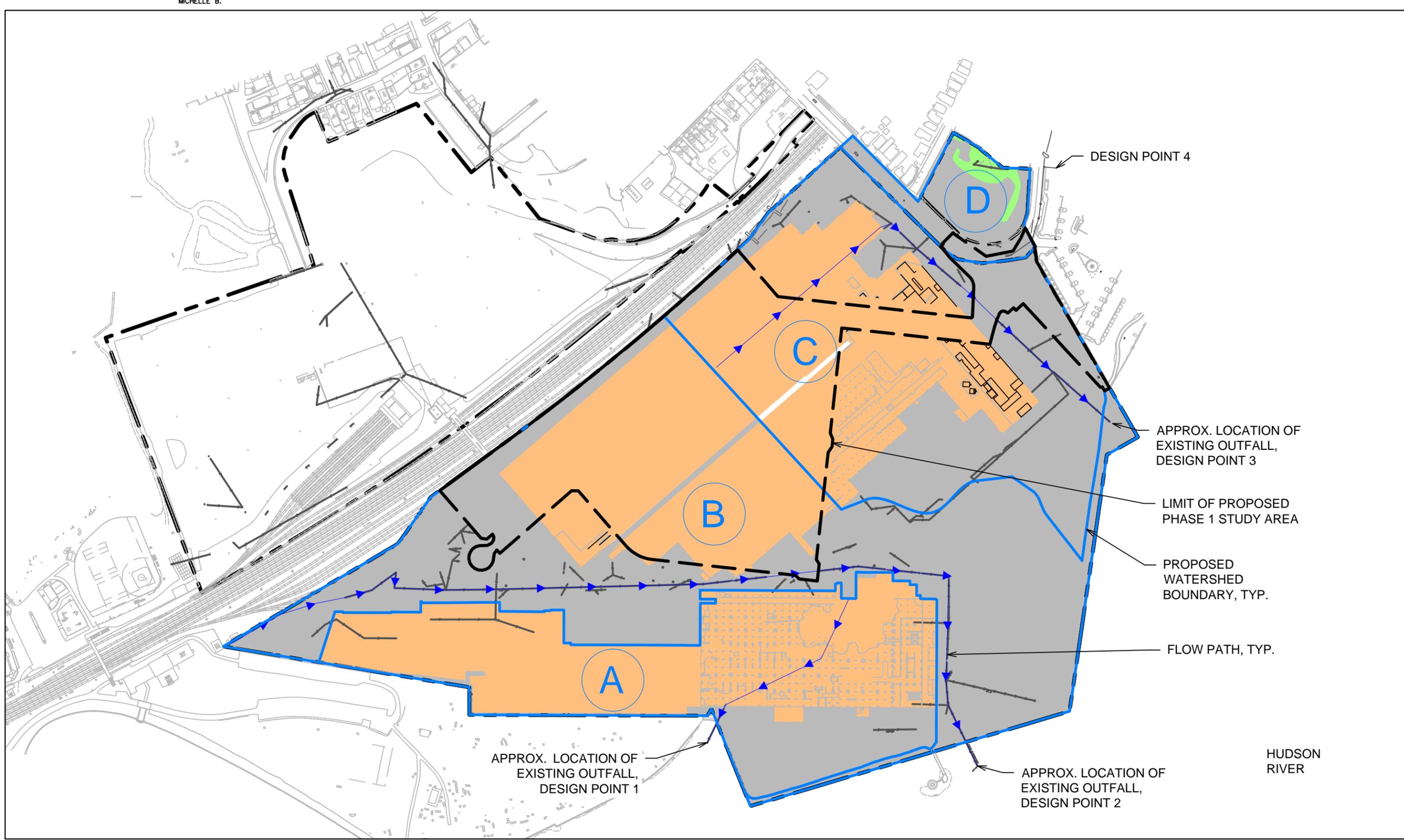


DIVNEY • TUNG • SCHWALBE
Intelligent Land Use

SITE LOCATION MAP

EDGE-ON-HUDSON
SLEEPY HOLLOW NY

FIGURE NO. SWM-1
MAY 2015



APPROX. LOCATION OF EXISTING OUTFALL, DESIGN POINT 1

DESIGN POINT 4

APPROX. LOCATION OF EXISTING OUTFALL, DESIGN POINT 3

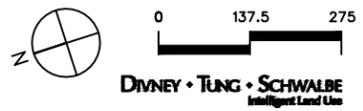
LIMIT OF PROPOSED PHASE 1 STUDY AREA

PROPOSED WATERSHED BOUNDARY, TYP.

FLOW PATH, TYP.

APPROX. LOCATION OF EXISTING OUTFALL, DESIGN POINT 2

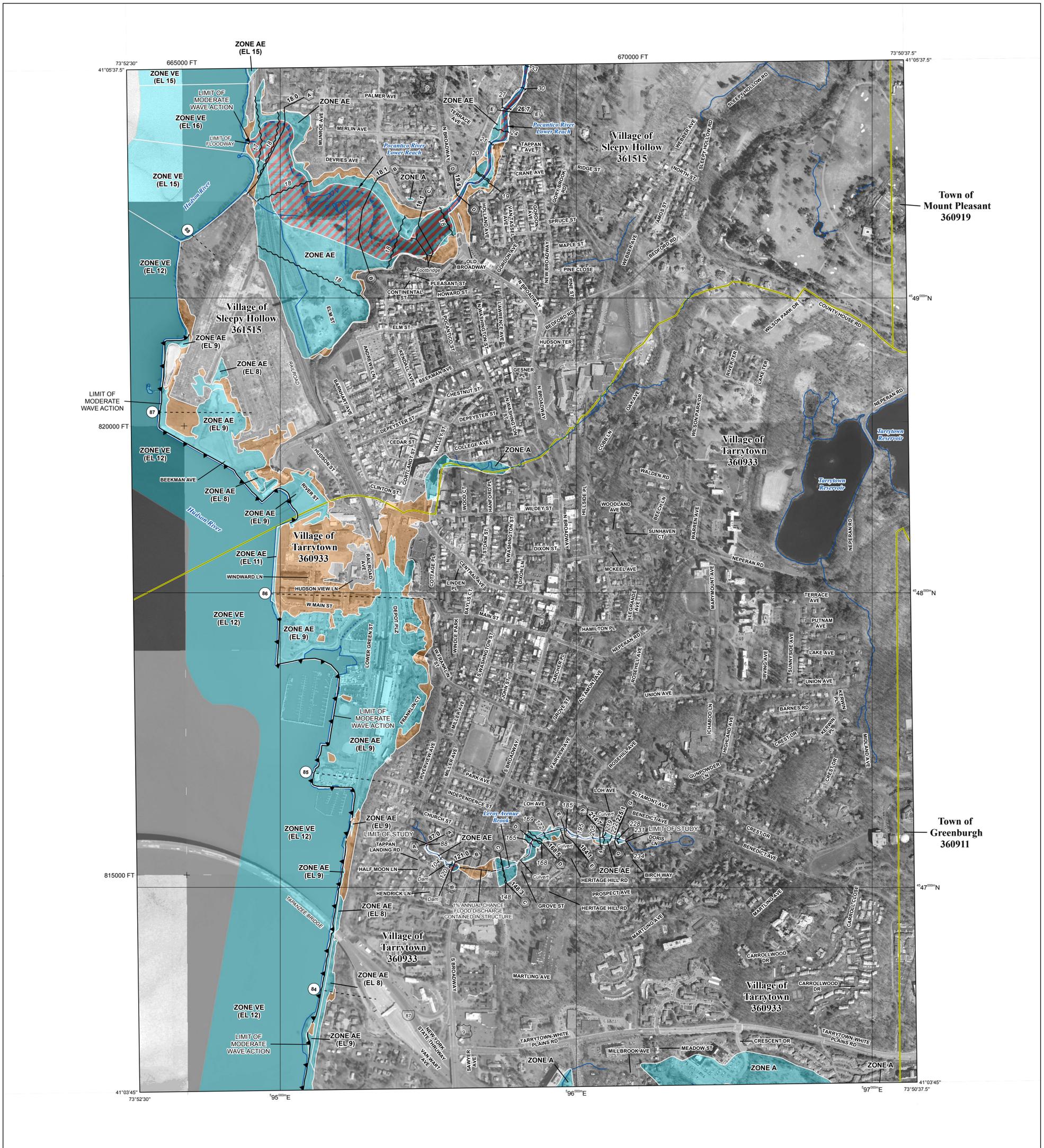
HUDSON RIVER



EXISTING DRAINAGE CONDITIONS

EDGE-ON-HUDSON
SLEEPY HOLLOW, NEW YORK

FIGURE NO. SWM-2
MAY 2015



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://MSC.FEMA.GOV](http://msc.fema.gov)

| | | |
|------------------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee See Notes Zone X |
| OTHER AREAS | | Area of Minimal Flood Hazard Zone X |
| | | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| | | Cross Sections with 1% Annual Chance Water Surface Elevation (BFE) |
| | | Coastal Transect |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Base Flood Elevation Line (BFE) |
| OTHER FEATURES | | Limit of Study |
| | | Jurisdiction Boundary |

NOTES TO USERS

For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-338-2627) or visit the FEMA Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

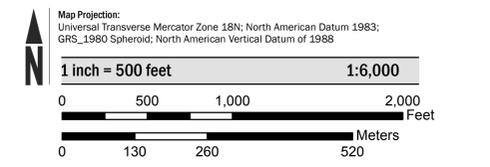
To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided in digital format by New York State Cyber and Critical Infrastructure. This information was derived from digital orthophotography at a 0.5 foot ground resolution from imagery flown in April 2013.

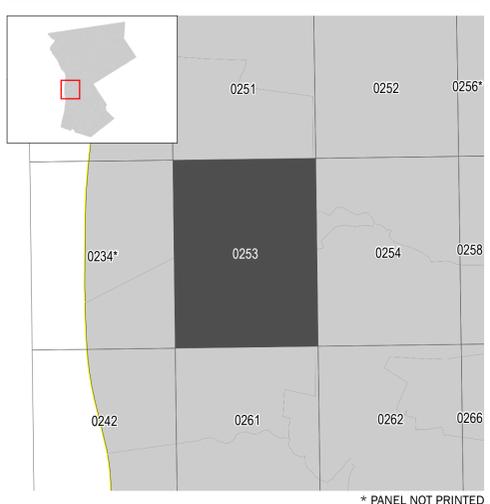
LIMIT OF MODERATE WAVE ACTION: Zone AE has been divided by a Limit of Moderate Wave Action (LIMWA). The LIMWA represents the approximate landward limit of the 1.5-foot breaking wave. The effects of wave hazards between the VE Zone and the LIMWA (or between the shoreline and the LIMWA for areas where VE Zones are not identified) will be similar to, but less severe than those in the VE Zone.

Limit of Moderate Wave Action (LIMWA)

SCALE



PANEL LOCATOR



NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP
 WESTCHESTER COUNTY, NEW YORK
 All Jurisdictions

PANEL 253 of 426

Panel Contains:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|---------------------------|--------|-------|--------|
| GREENBURGH, TOWN OF | 360911 | 0253 | G |
| MOUNT PLEASANT, TOWN OF | 360919 | 0253 | G |
| SLEEPY HOLLOW, VILLAGE OF | 361515 | 0253 | G |
| TARRYTOWN, VILLAGE OF | 360933 | 0253 | G |

PRELIMINARY
 DECEMBER 8, 2014

VERSION NUMBER
2.2.2.1

MAP NUMBER
36119C0253G

MAP REVISED

C. Redevelopment Planning Strategies:

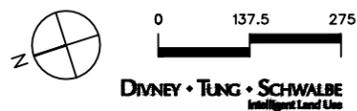
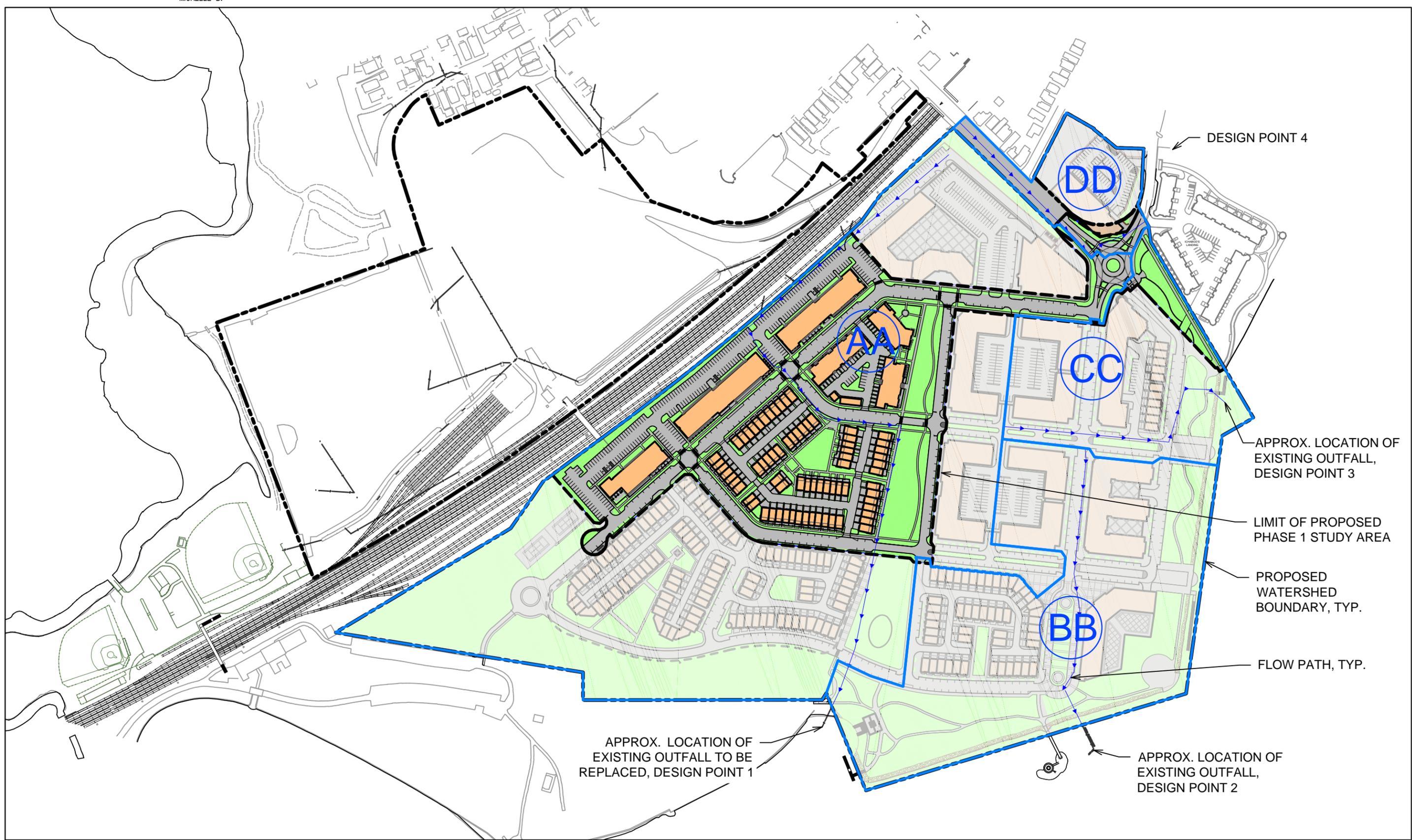
One of the redevelopment goals is to improve stormwater infiltration through new pervious areas consisting of planting areas, lawns, and low gradient slopes. New mixed-use residential, retail, and office uses will be constructed on the site of the former General Motors plant. New publicly accessible uses and waterfront open space improvements will be constructed along the shoreline. Foundation slabs and paved areas will be removed as part of the overall demolition and site preparation. As shown on the Proposed Drainage Conditions Map, Figure SWM-3, the reduction in impervious cover on the site will significantly improve the overall water quality of the stormwater runoff from the site by providing infiltration and an increased travel time allowing for sediment removal and nutrient uptake into the planted regime. There are four proposed watersheds: AA-1, BB-1, CC-1, and DD-1. The discharge point locations are to be maintained, with the outlet pipe sizes upgraded where needed. Sub-watersheds AA-1, BB-1, and CC-1 drain to West Parcel discharge points 1, 2, and 3, respectively, and DP-4 will continue to collect the South Parcel and Beekman Avenue drainage area, DD-1.

D. Soil Types:

The soil classifications and their limits were provided from mapping compiled by the U.S. Department of Agriculture Soil Service Soil Survey of Westchester County, New York which has classified the soil types as follows:

| <u>Soil Symbol</u> | <u>Hydrologic Soil Group</u> | <u>Description</u> |
|--------------------|------------------------------|--------------------|
| Ub | n/a | Urban Land |

Hydrologic Group ‘C’ was used for curve number calculations.



PROPOSED DRAINAGE CONDITIONS

EDGE-ON-HUDSON
SLEEPY HOLLOW, NY

FIGURE NO. SWM-3
MAY 2015

II. Water Quality Treatment Volume (WQv)

As a redevelopment project, the required water quality volume (WQv) is estimated as a percentage of WQv from the total impervious area equal to the total existing impervious area plus 100% of the WQv of the increased impervious area. Table No.1, Existing Drainage Conditions, illustrates a breakdown of the impervious and pervious areas within each sub-watershed. Table No. 2, Redeveloped Drainage Conditions, tabulates the proposed conditions of the redeveloped site.

A. **Redevelopment WQv Methodology**

Per Chapter 9, *Redevelopment Projects*, of the New York State Department of Environmental Conservation (NYSDEC) New York State Stormwater Management Design Manual (NYSSMDM), January 2015, required WQv is calculated using one or more of four separate options, as outlined below.

Option 1 – The reduction of impervious cover from existing conditions to redeveloped conditions by 25% or more.

Option 2 – Redevelopment WQv calculation includes a minimum of 25% of the WQv from the existing disturbed impervious area to be captured and treated by the implementation of a NYSDEC standard practice or green infrastructure technique.

Option 3 – The use of alternative practices, sized to meet a minimum of 75% of the water quality volume from the disturbed, impervious area. The NYSDEC allows for the use of accepted verified manufactured technologies.

Option 4 – A combination of the first three options, allowing for the use of standard and alternative practices.

Consistent with Option 1, the proposed project will meet the required WQv by reducing existing impervious cover by more than 25%.

B. Redevelopment WQv Calculations

Table No. 3, Redevelopment Stormwater Requirements, provides a summary of how the proposed project complies with Chapter 9 of the NYSSMDM. Refer to Table No. 4, Stormwater Quality Management Measures, for a detailed breakdown of the estimated WQv for the site.

TABLE NO. 1

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

EXISTING DRAINAGE CONDITIONS

| WATERSHED/ SUBBASIN ID | AREA (AC) | | | | | (1) I (%) | (2) R _v | (3) CN | I _a | (4) T _c (HRS) | (4) T _t (HRS) | DESIGN POINT # |
|---------------------------|------------|----------|------------|----------|---------------|-----------------|-----------------------|-----------|----------------|--------------------------------|--------------------------------|----------------------|
| | IMPERVIOUS | | | PERVIOUS | TOTAL AREA | | | | | | | |
| | Roof | Pavement | IMP. TOTAL | | | | | | | | | |
| A | 0.00 | 15.42 | 15.42 | 0.00 | 15.42 | 100 | 0.95 | 98 | 0.0 | 0.10 | --- | 1 |
| B | 0.00 | 29.74 | 29.74 | 0.00 | 29.74 | 100 | 0.95 | 98 | 0.0 | 0.25 | --- | 2 |
| C | 0.00 | 21.08 | 21.08 | 0.00 | 21.08 | 100.00 | 0.95 | 98 | 0.0 | 0.21 | --- | 3 |
| D | 0.00 | 2.28 | 2.28 | 0.35 | 2.63 | 86.68 | 0.83 | 95 | 0.1 | 0.08 | --- | 4 |
| TOTAL AREA | 68.52 | | | 0.35 | 68.87 | | | | | | | |

1. I=Percent Impervious, (Impervious Area/Total Area)*100%
2. R_v = 0.05+0.009(I), Minimum R_v=0.2
3. CN=Curve Number
4. T_c=Time of Concentration, T_t=Travel Time

TABLE NO. 2

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

REDEVELOPED DRAINAGE CONDITIONS

| WATERSHED/ SUBBASIN ID | AREA (AC) | | | | | (1) I (%) | (2) R _v | (3) CN | I _a | (4) T _c (HRS) | (4) T _t (HRS) | DESIGN POINT # |
|---------------------------|------------|----------|------------|----------|---------------|-----------------|-----------------------|-----------|----------------|--------------------------------|--------------------------------|----------------------|
| | IMPERVIOUS | | | PERVIOUS | TOTAL AREA | | | | | | | |
| | Roof | Pavement | IMP. TOTAL | | | | | | | | | |
| AA-1 | 8.58 | 19.87 | 28.45 | 14.10 | 42.54 | 66.87 | 0.65 | 90 | 0.2 | 0.37 | --- | 1 |
| BB-1 | 5.22 | 5.28 | 10.49 | 5.97 | 16.46 | 63.74 | 0.62 | 89 | 0.2 | 0.33 | --- | 2 |
| CC-1 | 1.75 | 3.70 | 5.45 | 1.68 | 7.13 | 76.46 | 0.74 | 92 | 0.2 | 0.29 | --- | 3 |
| DD-1 | 0.41 | 2.18 | 2.60 | 0.15 | 2.75 | 94.60 | 0.90 | 97 | 0.1 | 0.15 | --- | 4 |
| TOTAL AREA | 46.99 | | | 21.89 | 68.88 | | | | | | | |

1. I=Percent Impervious, (Impervious Area/Total Area)*100%
2. $R_v = 0.05 + 0.009(I)$, Minimum $R_v = 0.2$
3. CN=Curve Number
4. T_c=Time of Concentration, T_t=Travel Time

TABLE NO. 3

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

REDEVELOPMENT STORMWATER REQUIREMENTS

| | | |
|--|--------------|-----------------------------|
| A. <u>Impervious Cover (IC) Reduction</u> | | |
| Site Area | 68.87 | ac |
| Disturbed Existing Impervious ¹ | 68.52 | ac |
| Total Proposed Impervious | 46.99 | ac |
| Impervious Reduction | 21.53 | ac |
| Impervious Reduction | 31.4% | |
| B. <u>Standard/RRV Stormwater Management Practices (SMP)</u> | | |
| Minimum Impervious Area Required to be Treated by SMP | 0% | - Not Required ¹ |
| C. <u>Alternative Stormwater Management Practices</u> | | |
| Minimum Impervious Area Required to be treated by Alternative Measures | 0.0% | - Not Required ¹ |

Notes:

1. Per NYSSMDM Chapter 9, if a redevelopment project reduces existing impervious cover by at least 25%, water quality and quantity criteria have been met, and no standard or alternative practices are required.

TABLE NO. 4

EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK

STORMWATER QUALITY MANAGEMENT MEASURES

SUMMARY

| DISCHARGE POINT, DP | EX AREA | PROPOSED AREA | | I ¹ (%) | R _v ² | P ^{3,4} (in) | S ⁵ | Exist WQv ⁶ (cft) | Devel WQv ⁶ (cft) | Δ WQv (cft) |
|---------------------|-------------|---------------|---------------|-----------------------|-----------------------------|--------------------------|----------------|---------------------------------|---------------------------------|----------------|
| | IMP (ac) | IMP (ac) | TOTAL (ac) | | | | | | | |
| 1 | 15.42 | 28.45 | 42.54 | 67 | 0.65 | 1.5 | 0.30 | 79,762 | 150,984 | 71,223 |
| 2 | 29.74 | 10.49 | 16.46 | 64 | 0.62 | 1.5 | 0.30 | 153,819 | 55,902 | -97,916 |
| 3 | 21.08 | 5.45 | 7.13 | 76 | 0.74 | 1.5 | 0.30 | 109,066 | 28,652 | -80,415 |
| 4 | 2.28 | 2.60 | 2.75 | 95 | 0.90 | 1.5 | 0.30 | 11,877 | 13,480 | 1,603 |
| Total | 68.52 | 46.99 | 68.88 | | | | | 354,524 | 249,018 | -105,506 |

NOTES

1. I=Impervious Cover (%)
2. $R_v = 0.05 + 0.009(I)$, Minimum $R_v=0.2$
3. P=90% Rainfall Event Number
4. P=1.5 in. Westchester County (See Figure 4.1, NYSSMDM, January 2015)
5. S=Hydrologic Soil Group (HSG) Specific Reduction Factor
6. $WQv = [(P)(R_v)(A)]/12$

III. Runoff Reduction (RRv)

A. Redevelopment Requirements for RRv

Chapter 9, *Redevelopment Projects*, of the New York State Department of Environmental Conservation (NYSDEC) New York State Stormwater Management Design Manual (NYSSMDM), January 2015, explains that though encouraged, meeting the Runoff Reduction Volume (RRv) sizing criteria is not required for redevelopment projects such as Edge-On-Hudson.¹ Runoff reduction is used to replicate pre-development hydrology by maintaining and/or improving preconstruction infiltration, peak runoff flow, and discharge volume.

B. RRv Strategy

There is a reduction in impervious cover under the Proposed Action such that the runoff volume from all storm events will be less than under existing conditions. Additionally, with the site located along the Hudson River, there is no need or requirement for peak flow reduction.

¹ New York State Department of Environmental Conservation New York State Stormwater Management Design Manual, January 2015, page 9-4.

IV. Water Quantity Control

Through the use of the proposed site planning methods and the overall reduction in impervious cover the proposed peak rates of runoff from the site will be reduced. Overall stormwater discharge rates to the Hudson River are equal to or less than existing conditions.

Table No. 5, Stormwater Quantity Design Flow Summary, outlines the existing flow rates at each discharge point and the combined flow for the 1-year through the 100-year 24-hour storm events. Also included are the anticipated design flow rates for the improved redeveloped site.

TABLE NO. 5

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

STORMWATER QUANTITY DESIGN FLOW SUMMARY

| DESIGN POINT NO. | 1-YEAR | | 2-YEAR | | 10-YEAR | | 100-YEAR | |
|--|---------------|-----------------------|---------------|-----------------------|---------------|-----------------------|---------------|-----------------------|
| | SW Flow (CFS) | Runoff Volume (AC-FT) |
| Westchester County Rainfall (IN) ⁽¹⁾ | 2.9 | | 3.5 | | 5.5 | | 10.0 | |
| 1 Existing | 36.9 | 3.4 | 44.7 | 4.2 | 70.6 | 6.8 | 128.8 | 12.5 |
| Developed | 59.2 | 6.7 | 76.1 | 8.6 | 132.3 | 15.4 | 256.6 | 31.0 |
| Delta | 22.3 | 3.3 | 31.4 | 4.5 | 61.6 | 8.6 | 127.8 | 18.5 |
| 2 Existing | 60.5 | 6.6 | 73.3 | 8.1 | 116.1 | 13.0 | 211.9 | 24.1 |
| Developed | 22.9 | 2.5 | 29.6 | 3.2 | 52.1 | 5.8 | 102.5 | 11.8 |
| Delta | -37.6 | -4.1 | -43.8 | -4.9 | -64.0 | -7.2 | -109.4 | -12.3 |
| 3 Existing | 45.4 | 4.7 | 55.0 | 5.7 | 87.1 | 9.2 | 158.9 | 17.1 |
| Developed | 11.8 | 1.2 | 14.8 | 1.6 | 25.1 | 2.7 | 47.6 | 5.4 |
| Delta | -33.6 | -3.5 | -40.2 | -4.2 | -62.0 | -6.5 | -111.2 | -11.8 |
| 4 Existing | 6.0 | 0.5 | 7.4 | 0.6 | 11.9 | 1.1 | 22.0 | 2.1 |
| Developed | 6.2 | 0.6 | 7.5 | 0.7 | 12.0 | 1.2 | 21.9 | 2.2 |
| Delta | 0.2 | 0.1 | 0.2 | 0.1 | 0.1 | 0.1 | -0.1 | 0.1 |

(1) NYSDEC, 2013

V. Erosion & Sediment Control

As described in the NYSDEC NYSSMDM, in order to protect the waters of the State of New York from adverse impacts of urban stormwater runoff, the typical objectives of stormwater management in redeveloped and newly developed areas include reducing the potential of flooding, flood damage, erosion, and water quality degradation.

The following are proposed temporary and permanent stormwater management measures that are NYSDEC accepted methods and are designed to address these objectives.

A. Temporary Erosion & Sediment Control Measures

During construction, the objective of stormwater management is to minimize soil and sediment leaving the site. The following methods are proposed to achieve this goal:

- Limit and control the exposure of soil to the extent that can be managed.
- Install silt fencing, hay bales, inlet protection, sediment traps, swales, berms, energy dissipaters, anti-tracking pads, mulching and seeding. These methods will be regularly maintained and periodically inspected.
- Divert stormwater runoff away from disturbance areas.
- Meet NYSDEC *New York State Standards and Specifications for Erosion and Sediment Control* requirements.

The NYSDEC General Permit GP-0-15-002 has limitations on the extent of soil disturbance during construction to no more than five acres maximum at any one time, without prior written approval from the municipality, the operators of a NYSDEC regulated Municipal Separate Storm Sewer Systems (MS4s). The Village of Sleepy Hollow is the MS4 in this instance.

B. Permanent Measures

After completion of the project there will be several permanent stormwater measures that will require regular inspections and maintenance. These stormwater measures include drain inlets, catch basins, manholes, and pipes.

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

**STORMWATER MANAGEMENT
REPORT - APPENDIX**

Prepared for the Fulfillment of:

**New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from Construction Activities
Permit No. GP-0-15-002**

Prepared by:

**Divney Tung Schwalbe, LLP
One North Broadway, Suite 1407
White Plains, NY 10601**

May 2015

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

STORMWATER MANAGEMENT REPORT

TECHNICAL APPENDIX

A. METHODOLOGY

1. Zero Increase in Watershed Peak Runoff
2. Storm Frequencies
3. Technical Approach
4. Rainfall Intensity

B. POND PACK MODELING

I. METHODOLOGY

VI. Technical Appendix

A. Methodology

1. Zero Increase in Watershed Peak Runoff

Since discharge is directly to the Hudson River which is tidal influenced, it is not subject to peak rate control.

2. Storm Frequencies

The storm frequencies to be used as a basis for computing peak rate of discharge shall be storms expected once every 1, 2, 10, and 100 years with a duration of 24 hours as defined by the U.S. Department of Agriculture Soil Conservation Service.

3. Technical Approach

The method used for estimating peak discharge shall be as per the document released by the Engineering Division of the U.S. Department of Agriculture Soil Conservation Service titled "Urban Hydrology for Small Watersheds", Technical Release No. 55, dated June 1986, Type III Storm Distribution. This criterion governs the data that is input into the software, namely the Haestad Methods Quick TR-55 computer program. A summary of the flows under existing and proposed conditions is provided. The complete input and output data is available upon request.

4. Rainfall Intensity

Frequency and intensities, which have been used in this report, are as follows:

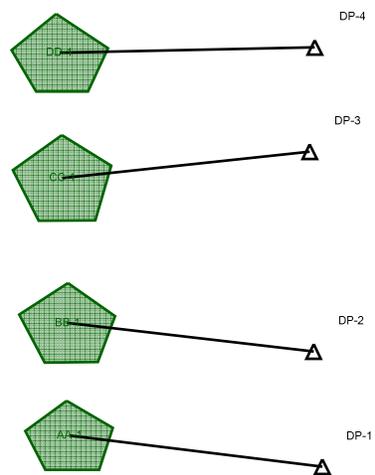
WESTCHESTER COUNTY
RAINFALL INTENSITY BY STORM FREQUENCY¹

| Storm Frequency Year | Rainfall Intensity (24-Hour Period) (Inches) |
|----------------------------|--|
| 100 | 10.0 |
| 10 | 5.5 |
| 2 | 3.5 |
| 1 | 2.9 |

¹ NYSDEC, 2013

B. Pond Pack Modeling

Schematic Layout



Subsection: Master Network Summary

Catchments Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| AA-1 | Pre-Development 1 year | 1 | 3.427 | 12.100 | 36.85 |
| AA-1 | Post-Development 1 year | 1 | 6.684 | 12.250 | 59.18 |
| AA-1 | Pre-Development 2 year | 2 | 4.194 | 12.100 | 44.67 |
| AA-1 | Post-Development 2 year | 2 | 8.648 | 12.250 | 76.05 |
| AA-1 | Pre-Development 10 year | 10 | 6.757 | 12.100 | 70.63 |
| AA-1 | Post-Development 10 year | 10 | 15.406 | 12.250 | 132.25 |
| AA-1 | Pre-Development 100 year | 100 | 12.532 | 12.100 | 128.82 |
| AA-1 | Post-Development 100 year | 100 | 31.033 | 12.250 | 256.61 |
| BB-1 | Pre-Development 1 year | 1 | 6.602 | 12.150 | 60.46 |
| BB-1 | Post-Development 1 year | 1 | 2.474 | 12.250 | 22.88 |
| BB-1 | Pre-Development 2 year | 2 | 8.081 | 12.150 | 73.34 |
| BB-1 | Post-Development 2 year | 2 | 3.223 | 12.250 | 29.59 |
| BB-1 | Pre-Development 10 year | 10 | 13.019 | 12.150 | 116.08 |
| BB-1 | Post-Development 10 year | 10 | 5.816 | 12.200 | 52.13 |
| BB-1 | Pre-Development 100 year | 100 | 24.144 | 12.150 | 211.85 |
| BB-1 | Post-Development 100 year | 100 | 11.842 | 12.200 | 102.49 |
| CC-1 | Pre-Development 1 year | 1 | 4.681 | 12.150 | 45.38 |
| CC-1 | Post-Development 1 year | 1 | 1.225 | 12.200 | 11.75 |
| CC-1 | Pre-Development 2 year | 2 | 5.729 | 12.150 | 55.03 |
| CC-1 | Post-Development 2 year | 2 | 1.563 | 12.200 | 14.84 |
| CC-1 | Pre-Development 10 year | 10 | 9.231 | 12.150 | 87.06 |
| CC-1 | Post-Development 10 year | 10 | 2.714 | 12.200 | 25.06 |
| CC-1 | Pre-Development 100 year | 100 | 17.119 | 12.150 | 158.85 |
| CC-1 | Post-Development 100 year | 100 | 5.352 | 12.200 | 47.61 |

Subsection: Master Network Summary

Catchments Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DD-1 | Pre-Development 1 year | 1 | 0.515 | 12.100 | 5.97 |
| DD-1 | Post-Development 1 year | 1 | 0.586 | 12.100 | 6.15 |
| DD-1 | Pre-Development 2 year | 2 | 0.644 | 12.100 | 7.35 |
| DD-1 | Post-Development 2 year | 2 | 0.722 | 12.100 | 7.50 |
| DD-1 | Pre-Development 10 year | 10 | 1.077 | 12.100 | 11.90 |
| DD-1 | Post-Development 10 year | 10 | 1.178 | 12.100 | 11.96 |
| DD-1 | Pre-Development 100 year | 100 | 2.058 | 12.100 | 22.01 |
| DD-1 | Post-Development 100 year | 100 | 2.206 | 12.100 | 21.90 |

Node Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-1 | Pre-Development 1 year | 1 | 3.427 | 12.100 | 36.85 |
| DP-1 | Post-Development 1 year | 1 | 6.684 | 12.250 | 59.18 |
| DP-1 | Pre-Development 2 year | 2 | 4.194 | 12.100 | 44.67 |
| DP-1 | Post-Development 2 year | 2 | 8.648 | 12.250 | 76.05 |
| DP-1 | Pre-Development 10 year | 10 | 6.757 | 12.100 | 70.63 |
| DP-1 | Post-Development 10 year | 10 | 15.406 | 12.250 | 132.25 |
| DP-1 | Pre-Development 100 year | 100 | 12.532 | 12.100 | 128.82 |
| DP-1 | Post-Development 100 year | 100 | 31.033 | 12.250 | 256.61 |
| DP-2 | Pre-Development 1 year | 1 | 6.602 | 12.150 | 60.46 |
| DP-2 | Post-Development 1 year | 1 | 2.474 | 12.250 | 22.88 |
| DP-2 | Pre-Development 2 year | 2 | 8.081 | 12.150 | 73.34 |
| DP-2 | Post-Development 2 year | 2 | 3.223 | 12.250 | 29.59 |
| DP-2 | Pre-Development 10 year | 10 | 13.019 | 12.150 | 116.08 |

Subsection: Master Network Summary

Node Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-2 | Post-Development 10 year | 10 | 5.816 | 12.200 | 52.13 |
| DP-2 | Pre-Development 100 year | 100 | 24.144 | 12.150 | 211.85 |
| DP-2 | Post-Development 100 year | 100 | 11.842 | 12.200 | 102.49 |
| DP-3 | Pre-Development 1 year | 1 | 4.681 | 12.150 | 45.38 |
| DP-3 | Post-Development 1 year | 1 | 1.225 | 12.200 | 11.75 |
| DP-3 | Pre-Development 2 year | 2 | 5.729 | 12.150 | 55.03 |
| DP-3 | Post-Development 2 year | 2 | 1.563 | 12.200 | 14.84 |
| DP-3 | Pre-Development 10 year | 10 | 9.231 | 12.150 | 87.06 |
| DP-3 | Post-Development 10 year | 10 | 2.714 | 12.200 | 25.06 |
| DP-3 | Pre-Development 100 year | 100 | 17.119 | 12.150 | 158.85 |
| DP-3 | Post-Development 100 year | 100 | 5.352 | 12.200 | 47.61 |
| DP-4 | Pre-Development 1 year | 1 | 0.515 | 12.100 | 5.97 |
| DP-4 | Post-Development 1 year | 1 | 0.586 | 12.100 | 6.15 |
| DP-4 | Pre-Development 2 year | 2 | 0.644 | 12.100 | 7.35 |
| DP-4 | Post-Development 2 year | 2 | 0.722 | 12.100 | 7.50 |
| DP-4 | Pre-Development 10 year | 10 | 1.077 | 12.100 | 11.90 |
| DP-4 | Post-Development 10 year | 10 | 1.178 | 12.100 | 11.96 |
| DP-4 | Pre-Development 100 year | 100 | 2.058 | 12.100 | 22.01 |
| DP-4 | Post-Development 100 year | 100 | 2.206 | 12.100 | 21.90 |

EDGE-ON-HUDSON
Village of Sleepy Hollow, New York

PHASE 1 SITE PLAN
STORMWATER MANAGEMENT REPORT
SUPPLEMENT

Prepared for the Fulfillment of:

New York State Department of Environmental Conservation
SPDES General Permit for Stormwater Discharges from Construction Activities
Permit No. GP-0-15-002

Prepared by:

Divney Tung Schwalbe, LLP
One North Broadway, Suite 1407
White Plains, NY 10601

May 2015

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

**PHASE 1 SITE PLAN
STORMWATER MANAGEMENT REPORT
SUPPLEMENT**

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- II. PHASE 1 PONDPACK MODEL

LIST OF FIGURES

- SWM-1 Phase 1 Proposed Drainage Conditions

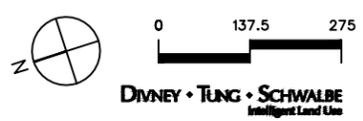
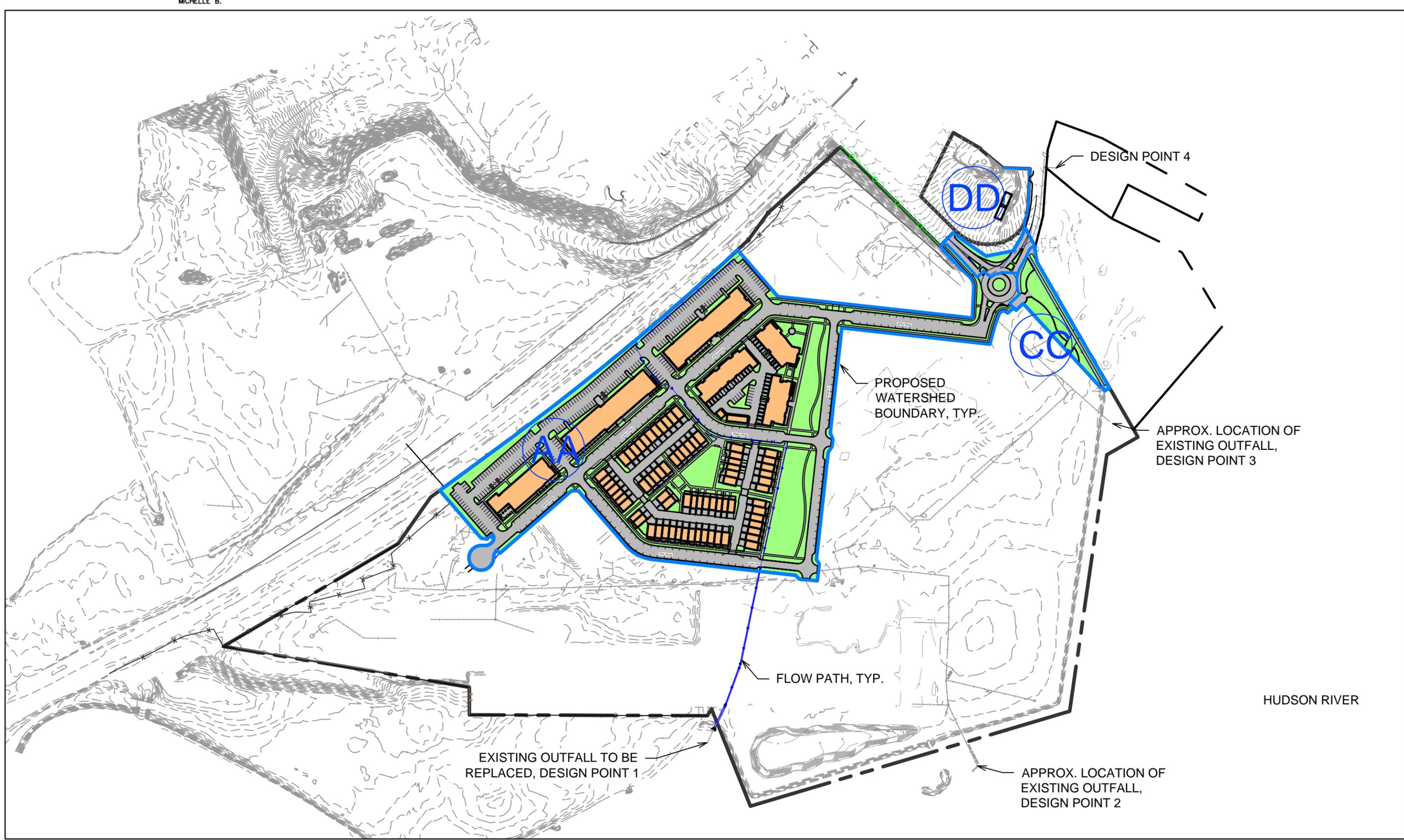
LIST OF TABLES

- 1 Existing Drainage Conditions
- 2 Redeveloped Drainage Conditions
- 3 Redevelopment Stormwater Requirements
- 4 Stormwater Quality Management Measures
- 5 Stormwater Quantity Design Flow Summary

I. Redevelopment Summary

The Phase 1 Project is the first stage of the redevelopment of the former General Motors assembly plant to the mixed-use riverfront community. The proposed work consists of new residential units on Blocks I, E and J, portions of the Central Park and the Village Green, and sections of four future public streets and the roundabout at the intersection with Beekman Avenue and River Street.

The Phase 1 drainage study area includes approximately 18.48 acres of redevelopment area within the 68-acre Project Site and is currently covered entirely by impervious surfaces. The stormwater management plan for the Phase 1 work is consistent with the RDCP strategy and will be compliant with the NYSDEC Stormwater Management Design Manual. In accordance with NYSDEC redevelopment strategies, the proposed Phase 1 work will meet the Water Quality Volume requirements by reducing impervious cover by more than 25%. As shown in Figure SWM-1, Phase 1 Proposed Drainage Conditions, the majority of the Phase 1 redevelopment is within sub-watershed AA-1, draining to Discharge Point 1 via piped flow. Runoff from Beekman Avenue adjacent to the South parcel (DD-1) will continue to drain to DP-4, and the remaining redevelopment area from sub-watershed CC-1 will continue to drain to DP-3. The remainder of the site beyond the Phase 1 limit will maintain existing drainage conditions. See Tables No. 1-5 for further information on Phase 1 conditions and conformance with the master plan and NYSDEC requirements.



PHASE 1 PROPOSED DRAINAGE CONDITIONS

TABLE NO. 1

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

EXISTING DRAINAGE CONDITIONS

| WATERSHED/ SUBBASIN ID | AREA (AC) | | | | | (1) I (%) | (2) R _v | (3) CN | I _a | (4) T _c (HRS) | (4) T _t (HRS) | DESIGN POINT # |
|---------------------------|------------|----------|------------|----------|---------------|-----------------|-----------------------|-----------|----------------|--------------------------------|--------------------------------|----------------------|
| | IMPERVIOUS | | | PERVIOUS | TOTAL AREA | | | | | | | |
| | Roof | Pavement | IMP. TOTAL | | | | | | | | | |
| A | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | -- | -- | -- | -- | -- | --- | 1 |
| B | 0.00 | 11.62 | 11.62 | 0.00 | 11.62 | 100.00 | 0.95 | 98 | 0.0 | 0.083 | --- | 2 |
| C | 0.00 | 6.59 | 6.59 | 0.00 | 6.59 | 100.00 | 0.95 | 98 | 0.0 | 0.083 | --- | 3 |
| D | 0.00 | 0.27 | 0.27 | 0.00 | 0.27 | 100.00 | 0.95 | 98 | 0.0 | 0.083 | --- | 4 |
| TOTAL AREA | 18.48 | | | 0.00 | 18.48 | | | | | | | |

1. I=Percent Impervious, (Impervious Area/Total Area)*100%
2. R_v = 0.05+0.009(I), Minimum R_v=0.2
3. CN=Curve Number
4. T_c=Time of Concentration, T_t=Travel Time

TABLE NO. 2

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

REDEVELOPED DRAINAGE CONDITIONS

| WATERSHED/ SUBBASIN ID | AREA (AC) | | | | | (1) I (%) | (2) R _v | (3) CN | I _a | (4) T _c (HRS) | (4) T _t (HRS) | DESIGN POINT # |
|---------------------------|------------|----------|------------|----------|---------------|-----------------|-----------------------|-----------|----------------|--------------------------------|--------------------------------|----------------------|
| | IMPERVIOUS | | | PERVIOUS | TOTAL AREA | | | | | | | |
| | Roof | Pavement | IMP. TOTAL | | | | | | | | | |
| AA-1 | 3.38 | 9.27 | 12.65 | 4.70 | 17.35 | 72.91 | 0.71 | 91 | 0.2 | 0.36 | --- | 1 |
| BB-1 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | --- | --- | --- | --- | -- | --- | 2 |
| CC-1 | 0.00 | 0.17 | 0.17 | 0.57 | 0.74 | 23.15 | 0.26 | 80 | 0.5 | 0.37 | --- | 3 |
| DD-1 | 0.00 | 0.30 | 0.30 | 0.10 | 0.39 | 75.62 | 0.73 | 92 | 0.2 | 0.30 | --- | 4 |
| TOTAL AREA | 13.12 | | | 5.36 | 18.48 | | | | | | | |

1. I=Percent Impervious, (Impervious Area/Total Area)*100%
2. $R_v = 0.05 + 0.009(I)$, Minimum $R_v = 0.2$
3. CN=Curve Number
4. T_c=Time of Concentration, T_t=Travel Time

TABLE NO. 3

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

REDEVELOPMENT STORMWATER REQUIREMENTS

| | | |
|--|--------------|-----------------------------|
| A. <u>Impervious Cover (IC) Reduction</u> | | |
| Site Area | 18.48 | ac |
| Disturbed Existing Impervious ¹ | 18.48 | ac |
| Total Proposed Impervious | 13.12 | ac |
| Impervious Reduction | 5.36 | ac |
| Impervious Reduction | 29.0% | |
| B. <u>Standard/RRV Stormwater Management Practices (SMP)</u> | | |
| Minimum Impervious Area Required to be Treated by SMP | 0% | - Not Required ² |
| C. <u>Alternative Stormwater Management Practices</u> | | |
| Minimum Impervious Area Required to be treated by Alternative Measures | 0.0% | - Not Required ² |
| % Impervious Area Treated by Alternative Measure | 0.0% | |

Notes:

1. Per NYSSMDM Chapter 9, if a redevelopment project reduces existing impervious cover by at least 25%, water quality and quantity criteria have been met, and no standard or alternative practices are required.

TABLE NO. 4

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

STORMWATER QUALITY MANAGEMENT MEASURES

SUMMARY

| DISCHARGE POINT, DP | EX AREA | PROPOSED AREA | | I ¹ (%) | R _v ² | P ^{3,4} (in) | S ⁵ | Exist WQv ⁶ (cft) | Devel WQv ⁶ (cft) | Δ WQv (cft) |
|---------------------|-------------|---------------|---------------|-----------------------|-----------------------------|--------------------------|----------------|---------------------------------|---------------------------------|----------------|
| | IMP (ac) | IMP (ac) | TOTAL (ac) | | | | | | | |
| 1 | 0.00 | 12.65 | 17.35 | 73 | 0.71 | 1.5 | 0.30 | 0 | 66,709 | 66,709 |
| 2 | 11.62 | 0.00 | 0.00 | 100 | 0.95 | 1.5 | 0.30 | 60,098 | 0 | -60,098 |
| 3 | 6.59 | 0.17 | 0.74 | 23 | 0.26 | 1.5 | 0.30 | 34,080 | 1,040 | -33,040 |
| 4 | 0.27 | 0.30 | 0.39 | 76 | 0.73 | 1.5 | 0.30 | 1,402 | 1,559 | 158 |
| Total | 18.48 | 13.12 | 18.48 | | | | | 95,580 | 69,309 | -26,271 |

NOTES

1. I=Impervious Cover (%)
2. $R_v = 0.05 + 0.009(I)$, Minimum $R_v = 0.2$
3. P=90% Rainfall Event Number
4. P=1.5 in. Westchester County (See Figure 4.1, NYSSMDM, January 2015)
5. S=Hydrologic Soil Group (HSG) Specific Reduction Factor
6. $WQ_v = [(P)(R_v)(A)]/12$

TABLE NO. 5

**EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW, NEW YORK**

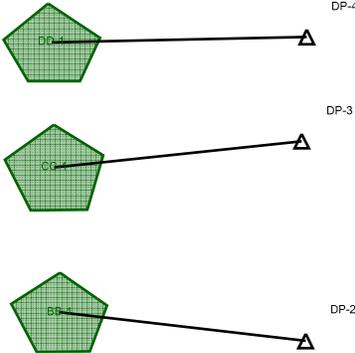
STORMWATER QUANTITY DESIGN FLOW SUMMARY

| DESIGN POINT NO. | 1-YEAR | | 2-YEAR | | 10-YEAR | | 100-YEAR | |
|--|---------------|-----------------------|---------------|-----------------------|---------------|-----------------------|---------------|-----------------------|
| | SW Flow (CFS) | Runoff Volume (AC-FT) |
| Westchester County Rainfall (IN) ⁽¹⁾ | 2.9 | | 3.5 | | 5.5 | | 10.5 | |
| 1 Existing | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Developed | 25.5 | 2.9 | 32.5 | 3.7 | 55.7 | 6.4 | 106.8 | 12.8 |
| Delta | 25.5 | 2.9 | 32.5 | 3.7 | 55.7 | 6.4 | 106.8 | 12.8 |
| 2 Existing | 28.0 | 2.6 | 34.0 | 3.2 | 53.7 | 5.1 | 98.0 | 9.4 |
| Developed | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Delta | -28.0 | -2.6 | -34.0 | -3.2 | -53.7 | -5.1 | -98.0 | -9.4 |
| 3 Existing | 15.9 | 1.5 | 19.3 | 1.8 | 30.5 | 2.9 | 55.6 | 5.4 |
| Developed | 0.6 | 0.1 | 0.9 | 0.1 | 1.8 | 0.2 | 4.0 | 0.5 |
| Delta | -15.3 | -1.4 | -18.4 | -1.7 | -28.6 | -2.7 | -51.5 | -4.9 |
| 4 Existing | 0.7 | 0.1 | 0.8 | 0.1 | 1.3 | 0.1 | 2.3 | 0.2 |
| Developed | 0.6 | 0.1 | 0.8 | 0.1 | 1.4 | 0.1 | 2.6 | 0.3 |
| Delta | 0.0 | 0.0 | 0.0 | 0.0 | 0.1 | 0.0 | 0.3 | 0.1 |

(1) NYSDEC, 2013

II. PondPack Model

Scenario: Pre-Development 1 year



Subsection: Master Network Summary

Catchments Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|--------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| BB-1 | Pre-Development 1 year | 1 | 2.583 | 12.100 | 28.03 |
| BB-1 | Pre-Development 2 year | 2 | 3.161 | 12.100 | 33.98 |
| BB-1 | Pre-Development 10 year | 10 | 5.093 | 12.100 | 53.71 |
| BB-1 | Pre-Development 100 year | 100 | 9.445 | 12.100 | 97.95 |
| CC-1 | Pre-Development 1 year | 1 | 1.465 | 12.100 | 15.90 |
| CC-1 | Pre-Development 2 year | 2 | 1.793 | 12.100 | 19.27 |
| CC-1 | Pre-Development 10 year | 10 | 2.888 | 12.100 | 30.46 |
| CC-1 | Pre-Development 100 year | 100 | 5.356 | 12.100 | 55.55 |
| DD-1 | Pre-Development 1 year | 1 | 0.060 | 12.100 | 0.65 |
| DD-1 | Pre-Development 2 year | 2 | 0.073 | 12.100 | 0.79 |
| DD-1 | Pre-Development 10 year | 10 | 0.118 | 12.100 | 1.25 |
| DD-1 | Pre-Development 100 year | 100 | 0.219 | 12.100 | 2.28 |

Node Summary

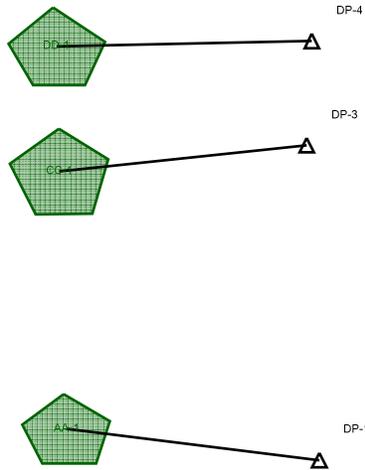
| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|--------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-2 | Pre-Development 1 year | 1 | 2.583 | 12.100 | 28.03 |
| DP-2 | Pre-Development 2 year | 2 | 3.161 | 12.100 | 33.98 |
| DP-2 | Pre-Development 10 year | 10 | 5.093 | 12.100 | 53.71 |
| DP-2 | Pre-Development 100 year | 100 | 9.445 | 12.100 | 97.95 |
| DP-3 | Pre-Development 1 year | 1 | 1.465 | 12.100 | 15.90 |
| DP-3 | Pre-Development 2 year | 2 | 1.793 | 12.100 | 19.27 |
| DP-3 | Pre-Development 10 year | 10 | 2.888 | 12.100 | 30.46 |
| DP-3 | Pre-Development 100 year | 100 | 5.356 | 12.100 | 55.55 |
| DP-4 | Pre-Development 1 year | 1 | 0.060 | 12.100 | 0.65 |

Subsection: Master Network Summary

Node Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|--------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-4 | Pre-Development 2 year | 2 | 0.073 | 12.100 | 0.79 |
| DP-4 | Pre-Development 10 year | 10 | 0.118 | 12.100 | 1.25 |
| DP-4 | Pre-Development 100 year | 100 | 0.219 | 12.100 | 2.28 |

Scenario: Post-Development 1 year



Subsection: Master Network Summary

Catchments Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| AA-1 | Post-Development 1 year | 1 | 2.850 | 12.250 | 25.52 |
| AA-1 | Post-Development 2 year | 2 | 3.662 | 12.250 | 32.50 |
| AA-1 | Post-Development 10 year | 10 | 6.441 | 12.250 | 55.67 |
| AA-1 | Post-Development 100 year | 100 | 12.837 | 12.250 | 106.84 |
| CC-1 | Post-Development 1 year | 1 | 0.072 | 12.300 | 0.63 |
| CC-1 | Post-Development 2 year | 2 | 0.100 | 12.250 | 0.88 |
| CC-1 | Post-Development 10 year | 10 | 0.205 | 12.250 | 1.82 |
| CC-1 | Post-Development 100 year | 100 | 0.462 | 12.250 | 4.02 |
| DD-1 | Post-Development 1 year | 1 | 0.067 | 12.200 | 0.64 |
| DD-1 | Post-Development 2 year | 2 | 0.085 | 12.200 | 0.80 |
| DD-1 | Post-Development 10 year | 10 | 0.148 | 12.200 | 1.36 |
| DD-1 | Post-Development 100 year | 100 | 0.293 | 12.200 | 2.58 |

Node Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-1 | Post-Development 1 year | 1 | 2.850 | 12.250 | 25.52 |
| DP-1 | Post-Development 2 year | 2 | 3.662 | 12.250 | 32.50 |
| DP-1 | Post-Development 10 year | 10 | 6.441 | 12.250 | 55.67 |
| DP-1 | Post-Development 100 year | 100 | 12.837 | 12.250 | 106.84 |
| DP-3 | Post-Development 1 year | 1 | 0.072 | 12.300 | 0.63 |
| DP-3 | Post-Development 2 year | 2 | 0.100 | 12.250 | 0.88 |
| DP-3 | Post-Development 10 year | 10 | 0.205 | 12.250 | 1.82 |
| DP-3 | Post-Development 100 year | 100 | 0.462 | 12.250 | 4.02 |
| DP-4 | Post-Development 1 year | 1 | 0.067 | 12.200 | 0.64 |

Subsection: Master Network Summary

Node Summary

| Label | Scenario | Return Event (years) | Hydrograph Volume (ac-ft) | Time to Peak (hours) | Peak Flow (ft ³ /s) |
|-------|---------------------------|----------------------|---------------------------|----------------------|--------------------------------|
| DP-4 | Post-Development 2 year | 2 | 0.085 | 12.200 | 0.80 |
| DP-4 | Post-Development 10 year | 10 | 0.148 | 12.200 | 1.36 |
| DP-4 | Post-Development 100 year | 100 | 0.293 | 12.200 | 2.58 |

TAB 4

APPENDIX B - CONTRACTOR CERTIFICATIONS

EDGE-ON-HUDSON
VILLAGE OF SLEEPY HOLLOW
WESTCHESTER COUNTY, NEW YORK

CONTRACTOR CERTIFICATION STATEMENT

I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

CONTRACTOR

Company: _____

Address: _____

Telephone: _____

CERTIFICATION

Signature: _____

Name: _____

Title: _____

Date: _____

TRAINED INDIVIDUAL

Name: _____

Title: _____

CONSTRUCTION/SWPPP ACTIVITY RESPONSIBILITY:

TAB 5

**APPENDIX C – CONSTRUCTION ACTIVITY INITIATION &
COMPLETION DATES**

EDGE-ON-HUDSON
 VILLAGE OF SLEEPY HOLLOW
 WESTCHESTER COUNTY, NEW YORK

Project Phase: _____

CONSTRUCTION ACTIVITY INITIATION AND COMPLETION DATES

| AREA | | SEDIMENT CONTROL MEASURES | CLEARING AND GRUBBING OF VEGETATION | STRIPPING & STOCKPILING OF TOPSOIL | ROUGH GRADING | TEMP. STABILIZE | FINISH GRADING & TOPSOIL SPREADING | ROADWAY PAVING | PERM. STABILIZE |
|------|-------|---------------------------|-------------------------------------|------------------------------------|---------------|-----------------|------------------------------------|----------------|-----------------|
| | BEGIN | | | | | | | | |
| | END | | | | | | | | |
| | BEGIN | | | | | | | | |
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| | END | | | | | | | | |
| | BEGIN | | | | | | | | |
| | END | | | | | | | | |

Note: Attach a map for delineation of area.

TAB 6

**APPENDIX D – STORMWATER POLLUTION PREVENTION
PLAN OBSERVATION REPORTS**

SITE OBSERVATION REPORT - SWPPP

| | |
|--------------------------|-------------------------|
| Project: | Project Number: |
| Site Location: | Date of Site Visit: |
| Purpose: | Time of Site Visit: |
| NYSDEC Permit: | Date of Previous Visit: |
| Owner: | Weather: |
| Project Manager: | Temperature: °F |
| Site Contractor: | Soil Conditions: |
| Site Contractor Working? | Last Rainfall: On: |
| Phase of Construction: | |
| Attendees: | |

Complete Report and Photos Attached

Compliance with SWPPP?

Was the inspection reviewed with the contractor?

Signed: _____

Copies To:

Divney Tung Schwalbe, LLP
One North Broadway, Suite 1407
White Plains, New York 10601
(914) 428-0010 / (914) 428-0010 (fax)

Observations:

Maintaining Water Quality

Yes No NA

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

Housekeeping

1. General Site Conditions

Yes No NA

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

2. Temporary Stream Crossing

Yes No NA

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

Runoff Control Practices

1. Excavation Dewatering

Yes No NA

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

2. Level Spreader

Yes No NA

- Installed per plan.
- Constructed on undisturbed soil, not on fill, receiving only clear, non-sediment laden flow.
- Flow sheets out of level spreader without erosion on downstream edge.

3. Interceptor Dikes and Swales

Yes No NA

- Installed per plan with minimum side slopes 2H:1V or flatter.
- Stabilized by geotextile fabric, seed, or mulch with no erosion occurring.
- Sediment-laden runoff directed to sediment trapping structure

Runoff Control Practices (continued)

4. Stone Check Dam

Yes No NA

- Is channel stable? (flow is not eroding soil underneath or around the structure).
- Check is in good condition (rocks in place and no permanent pools behind the structure).
- Has accumulated sediment been removed?.

5. Rock Outlet Protection

Yes No NA

- Installed per plan.
- Installed concurrently with pipe installation.

Soil Stabilization

1. Topsoil and Spoil Stockpiles

Yes No NA

- Stockpiles are stabilized with vegetation and/or mulch.
- Sediment control is installed at the toe of the slope.

2. Revegetation

Yes No NA

- Temporary seedings and mulch have been applied to idle areas.
- 4 inches minimum of topsoil has been applied under permanent seedings

Sediment Control Practices

1. Stabilized Construction Entrance

Yes No NA

- Stone is clean enough to effectively remove mud from vehicles.
- Installed per standards and specifications?
- Does all traffic use the stabilized entrance to enter and leave site?
- Is adequate drainage provided to prevent ponding at entrance?

2. Silt Fence

Yes No NA

- Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
 - Joints constructed by wrapping the two 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.

Sediment Control Practices (continued)

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

Yes No NA

- Installed concrete blocks lengthwise so open ends face outward, not upward.
 - Placed wire screen between No. 3 crushed stone and concrete blocks.
 - Drainage area is 1acre or less.
 - Excavated area is 900 cubic feet.
 - Excavated side slopes should be 2:1.
 - 2" x 4" frame is constructed and structurally sound.
 - Posts 3-foot maximum spacing between posts.
 - Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at max 8-inch spacing.
 - Posts are stable, fabric is tight and without rips or frayed areas.
- Sediment accumulation ___% of design capacity.

4. Temporary Sediment Trap

Yes No NA

- Outlet structure is constructed per the approved plan or drawing.
 - Geotextile fabric has been placed beneath rock fill.
- Sediment accumulation is ___% of design capacity.

5. Temporary Sediment Basin

Yes No NA

- Basin and outlet structure constructed per the approved plan.
 - Basin side slopes are stabilized with seed/mulch.
 - Drainage structure flushed and basin surface restored upon removal of sediment basin facility.
- Sediment accumulation is ___% of design capacity.

Note: Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site specific design.
 Construction inspection checklists for post-development stormwater management practices can be found in Appendix F of the New York Stormwater Management Design Manual.

SITE PLAN/SKETCH

Inspector (print name)

Cosimo Reale

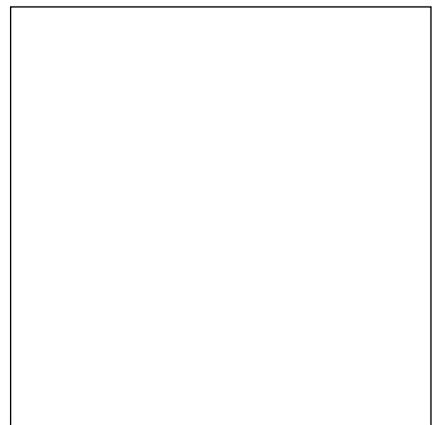
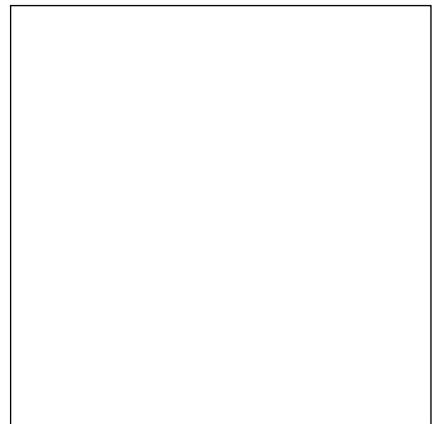
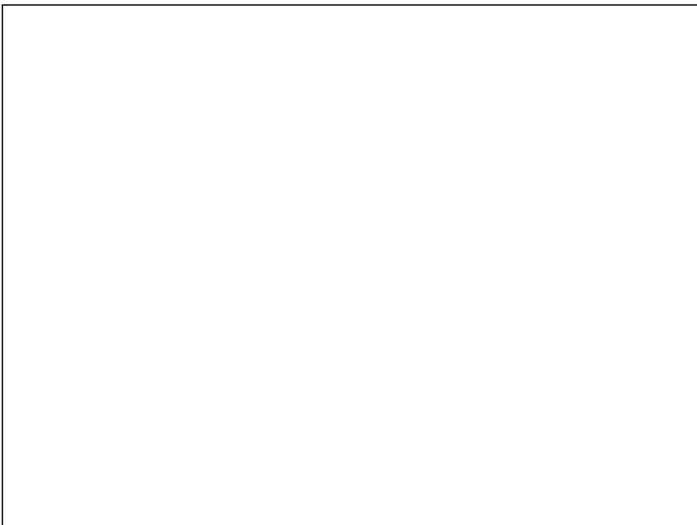
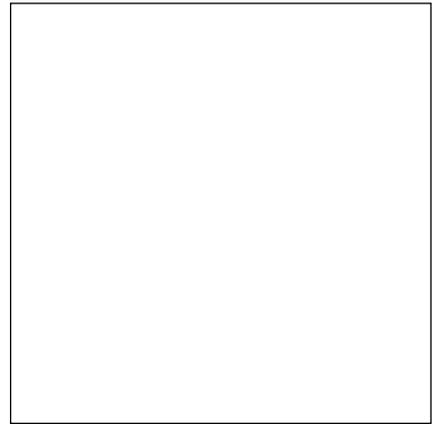
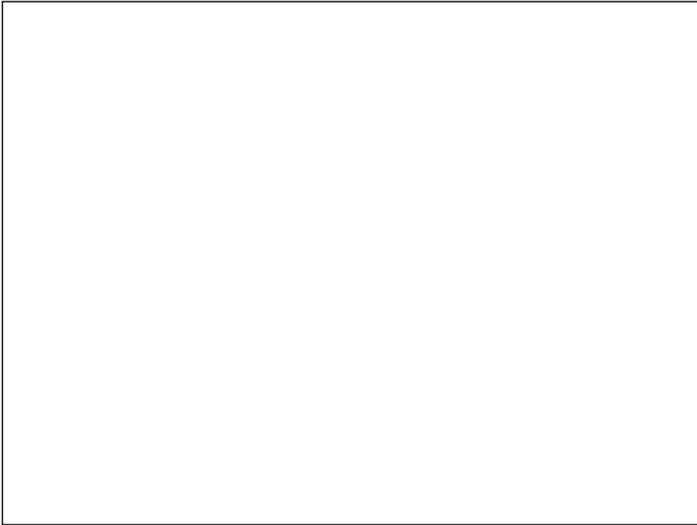
Date of Inspection

Qualified Professional (print name)

Qualified Professional Signature

The above signed acknowledges that, to the best of his/her knowledge, all information provided on the forms is accurate and complete.

SWPPP Site Observation,



TAB 7

**APPENDIX E – NYSDEC SPDES GENERAL PERMIT FOR
STORMWATER DISCHARGES FROM CONSTRUCTION
ACTIVITIES (GP 0-15-002)**



Department of
Environmental
Conservation

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-15-002

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

Effective Date: January 29, 2015

Expiration Date: January 28, 2020

John J. Ferguson
Chief Permit Administrator


Authorized Signature

1 / 12 / 15

Date

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

PREFACE

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

This general permit (“permit”) is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An *owner or operator* may obtain coverage under this permit by submitting a Notice of Intent (“NOI”) to the Department. Copies of this permit and the NOI for New York are available by calling (518) 402-8109 or at any New York State Department of Environmental Conservation (“the Department”) regional office (see Appendix G). They are also available on the Department’s website at:

<http://www.dec.ny.gov/>

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

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

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

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(Part I)

I.

Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

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

B. Effluent Limitations Applicable to Discharges from Construction Activities

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

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge of pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the Stormwater Pollution Prevention Plan (“SWPPP”) the reason(s) for the deviation or alternative design and provide information

(Part I.B.1)

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

a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:

- (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*;
- (ii) Control stormwater *discharges* to *minimize* channel and streambank erosion and scour in the immediate vicinity of the *discharge* points;
- (iii) *Minimize* the amount of soil exposed during *construction activity*;
- (iv) *Minimize* the disturbance of *steep slopes*;
- (v) *Minimize* sediment *discharges* from the site;
- (vi) Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharges*, unless *infeasible*;
- (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted; and
- (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover.

b. **Soil Stabilization.** In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

c. **Dewatering.** *Discharges* from dewatering activities, including *discharges*

(Part I.B.1.c)

from dewatering of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures.** Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:

- (i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;
- (ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and
- (iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Prohibited Discharges.** The following *discharges* are prohibited:

- (i) Wastewater from washout of concrete;
- (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
- (iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;
- (iv) Soaps or solvents used in vehicle and equipment washing; and
- (v) Toxic or hazardous substances from a spill or other release.

f. **Surface Outlets.** When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion

(Part I.B.1.f)

at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

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

a. Sizing Criteria for New Development

- (i) Runoff Reduction Volume (“RRv”): Reduce the total Water Quality Volume (“WQv”) by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

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

(Part I.C.2.a.ii)

that cannot be reduced shall be treated by application of standard SMPs.

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

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

- (i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be calculated in accordance with the criteria in Section 10.3 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or

(Part I.C.2.b.ii)

standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

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

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

c. Sizing Criteria for Redevelopment Activity

(Part I.C.2.c.i)

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

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

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

(Part I.C.2.c.iv)

- (iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

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

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

D. Maintaining Water Quality

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

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

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

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of *water quality standards*, or

(Part I.D)

if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

E. Eligibility Under This General Permit

1. This permit may authorize all *discharges* of stormwater from *construction activity to surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.
2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharges* from *construction activities*.
3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater *discharges* may be authorized by this permit: *discharges* from firefighting activities; fire hydrant flushings; waters to which cleansers or other components have not been added that are used to wash vehicles or control dust in accordance with the SWPPP, routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated *groundwater* or spring water; uncontaminated *discharges* from construction site de-watering operations; and foundation or footing drains where flows are not contaminated with process materials such as solvents. For those entities required to obtain coverage under this permit, and who *discharge* as noted in this paragraph, and with the exception of flows from firefighting activities, these *discharges* must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.
4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

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

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

(Part I.F)

1. *Discharges after construction activities* have been completed and the site has undergone *final stabilization*;
2. *Discharges* that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
4. *Construction activities or discharges from construction activities* that may adversely affect an endangered or threatened species unless the *owner or operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.C.2 of this permit.
5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;
6. *Construction activities* for residential, commercial and institutional projects:
 - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
 - b. Which disturb one or more acres of land with no existing *impervious cover*; and
 - c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture (“USDA”) Soil Survey for the County where the disturbance will occur.
7. *Construction activities* for linear transportation projects and linear utility projects:
 - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
 - b. Which disturb two or more acres of land with no existing *impervious cover*; and
 - c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the USDA Soil Survey for the County where the disturbance will occur.

(Part I.F.8)

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

(Part I.F.8.c.iii)

(iii) Executed Memorandum of Agreement, or

d. Documentation that:

(i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharges from construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

II. Part II. OBTAINING PERMIT COVERAGE

A. Notice of Intent (NOI) Submittal

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the Department in order to be authorized to *discharge* under this permit. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (<http://www.dec.ny.gov/>). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address.

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

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI.

The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the address in Part II.A.1.

(Part II.A.2)

The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.E. (*Change of Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*.

3. The *owner or operator* shall have the SWPPP preparer sign the “SWPPP Preparer Certification” statement on the NOI prior to submitting the form to the Department.
4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

B. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.
2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:
 - a. project review pursuant to the State Environmental Quality Review Act (“SEQRA”) have been satisfied, when SEQRA is applicable. See the Department’s website (<http://www.dec.ny.gov/>) for more information,
 - b. where required, all necessary Department permits subject to the *Uniform Procedures Act (“UPA”)* (see 6 NYCRR Part 621) have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators of construction activities* that are required to obtain *UPA* permits must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,
 - c. the final SWPPP has been prepared, and
 - d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.
3. An *owner or operator* that has satisfied the requirements of Part II.B.2 above

(Part II.B.3)

will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or

(ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;

(iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed “MS4 SWPPP Acceptance” form, or

(ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed “MS4 SWPPP Acceptance” form.

4. The Department may suspend or deny an *owner’s or operator’s* coverage

(Part II.B.4)

under this permit if the Department determines that the SWPPP does not meet the permit requirements. In accordance with statute, regulation, and the terms and conditions of this permit, the Department may deny coverage under this permit and require submittal of an application for an individual SPDES permit based on a review of the NOI or other information pursuant to Part II.

5. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.B. of this permit.

C. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination (“NOT”) has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.
2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-15-002), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:
 - a. The *owner or operator* shall

(Part II.C.3.a)

have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

- b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005.
 - c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
 - d. The *owner or operator* shall install any additional site specific practices needed to protect water quality.
 - e. The *owner or operator* shall include the requirements above in their SWPPP.
4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
5. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the *regulated, traditional land use control MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice

(Part II.D)

D. Permit Coverage for Discharges Authorized Under GP-0-10-001

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-10-001), an *owner or operator* of a *construction activity* with coverage under GP-0-10-001, as of the effective date of GP-0-15-002, shall be authorized to *discharge* in accordance with GP-0-15-002, unless otherwise notified by the Department.

An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-15-002.

E. Change of *Owner or Operator*

2. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.A.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

(Part III)

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

A. General SWPPP Requirements

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

(Part III.A.5)

SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.C.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor*. The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

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

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

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the

(Part III.A.6)

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

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

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
 - a. Background information about the scope of the project, including the location, type and size of project;
 - b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge(s)*;
 - c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
 - d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other

(Part III.B.1.d)

activity at the site that results in soil disturbance;

- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005;
- j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;
- k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the construction site; and
- l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Include the reason for the deviation or alternative design

(Part III.B.1.I)

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

2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

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

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

- a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;
- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
 - (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
 - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
 - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
 - (iv) Summary table, with supporting calculations, which demonstrates

(Part III.B.2.c.iv)

that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

- (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and
 - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
 - e. Infiltration test results, when required; and
 - f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.
3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria*, Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

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

(Part IV)

IV. Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

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

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.
2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.
3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

(Part IV.C)

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

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

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:
 - a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;
 - b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;
 - c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
 - d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.
2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:
 - a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.
 - b. For construction sites where soil disturbance activities are on-going and

(Part IV.C.2.b)

the *owner or operator* has received authorization in accordance with Part II.C.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

- c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.
- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization*, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “*Final Stabilization*” and “*Post-Construction Stormwater Management Practice*” certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.A.1 of this permit.
- e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall

(Part IV.C.2.e)

be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of *discharge* from the construction site.
4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:
 - a. Date and time of inspection;
 - b. Name and title of person(s) performing inspection;
 - c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
 - d. A description of the condition of the runoff at all points of *discharge* from the construction site. This shall include identification of any *discharges* of sediment from the construction site. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
 - e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;
 - f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
 - g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
 - h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

(Part IV.C.4.i)

- i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
 - j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);
 - k. Identification and status of all corrective actions that were required by previous inspection; and
 - l. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
 6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.C.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

V. Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.A.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.

(Part V.A.2)

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

(Part V.A.5)

5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:
 - a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,
 - b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),
 - c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,
 - d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

VI. Part VI. REPORTING AND RETENTION OF RECORDS

A. Record Retention

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

B. Addresses

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

(Part VII)

VII. Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

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

B. Continuation of the Expired General Permit

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

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

(Part VII.E)

E. Duty to Mitigate

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

F. Duty to Provide Information

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

G. Other Information

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

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:
 - a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice-president of the

(Part VII.H.1.a.i)

corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

- (ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

- (i) the chief executive officer of the agency, or

- (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named

(Part VII.H.2.b)

individual or any individual occupying a named position) and,

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

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any *discharger* authorized by a general permit to apply for an individual SPDES permit, it shall notify the *discharger* in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from *owner or operator* receipt of the notification letter, whereby the authorization to

(Part VII.K.1)

discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

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

1. Enter upon the *owner's or operator's* premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

(Part VII.N)

N. Permit Actions

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

O. Definitions

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

P. Re-Opener Clause

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

Q. Penalties for Falsification of Forms and Reports

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

R. Other Permits

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

VIII. APPENDIX A

Definitions

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

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

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

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

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

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

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

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

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied

on all disturbed areas that are not covered by permanent structures, concrete or pavement.

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

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

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

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

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

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

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

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

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,

ditches, man-made channels, or storm drains):

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

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

New Development – means any land disturbance that does meet the definition of Redevelopment Activity included in this appendix.

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

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; and/or an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications.

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

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

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

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

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

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

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

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

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is required to gain coverage under New York State DEC's SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s).

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

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

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

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

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

Steep Slope – means land area with a Soil Slope Phase that is identified as an E or F, or

the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture (“USDA”) Soil Survey for the County where the disturbance will occur.

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

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

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

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

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

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

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

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part

621 of the Environmental Conservation Law (ECL), Article 70.

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

IX. APPENDIX B

Required SWPPP Components by Project Type

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

| |
|--|
| <p>The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:</p> <ul style="list-style-type: none">• Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not directly discharging</u> to one of the 303(d) segments listed in Appendix E• Single family residential subdivisions with 25% or less impervious cover at total site build-out and <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E• Construction of a barn or other agricultural building, silo, stock yard or pen. |
| <p>The following construction activities that involve soil disturbances of one (1) or more acres of land:</p> <ul style="list-style-type: none">• 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 projects, stormwater retrofits and stream restoration projects• Bike paths and trails• Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project• Slope stabilization projects• 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• Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), excluding projects that <i>alter hydrology from pre to post development</i> conditions• Athletic fields (natural grass) that do not include the construction or reconstruction of <i>impervious area</i> <u>and</u> do not <i>alter hydrology from pre to post development</i> conditions• Demolition project where vegetation will be established and no redevelopment is planned• Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with <i>impervious cover</i>• Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area |
| <p>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</p> <ul style="list-style-type: none">• All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land. |

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

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

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State” that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW’s and water treatment plants
- Office complexes
- Sports complexes
- Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project , wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- 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 Where Enhanced Phosphorus Removal Standards Are Required**

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

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

Figure 1 - New York City Watershed East of the Hudson

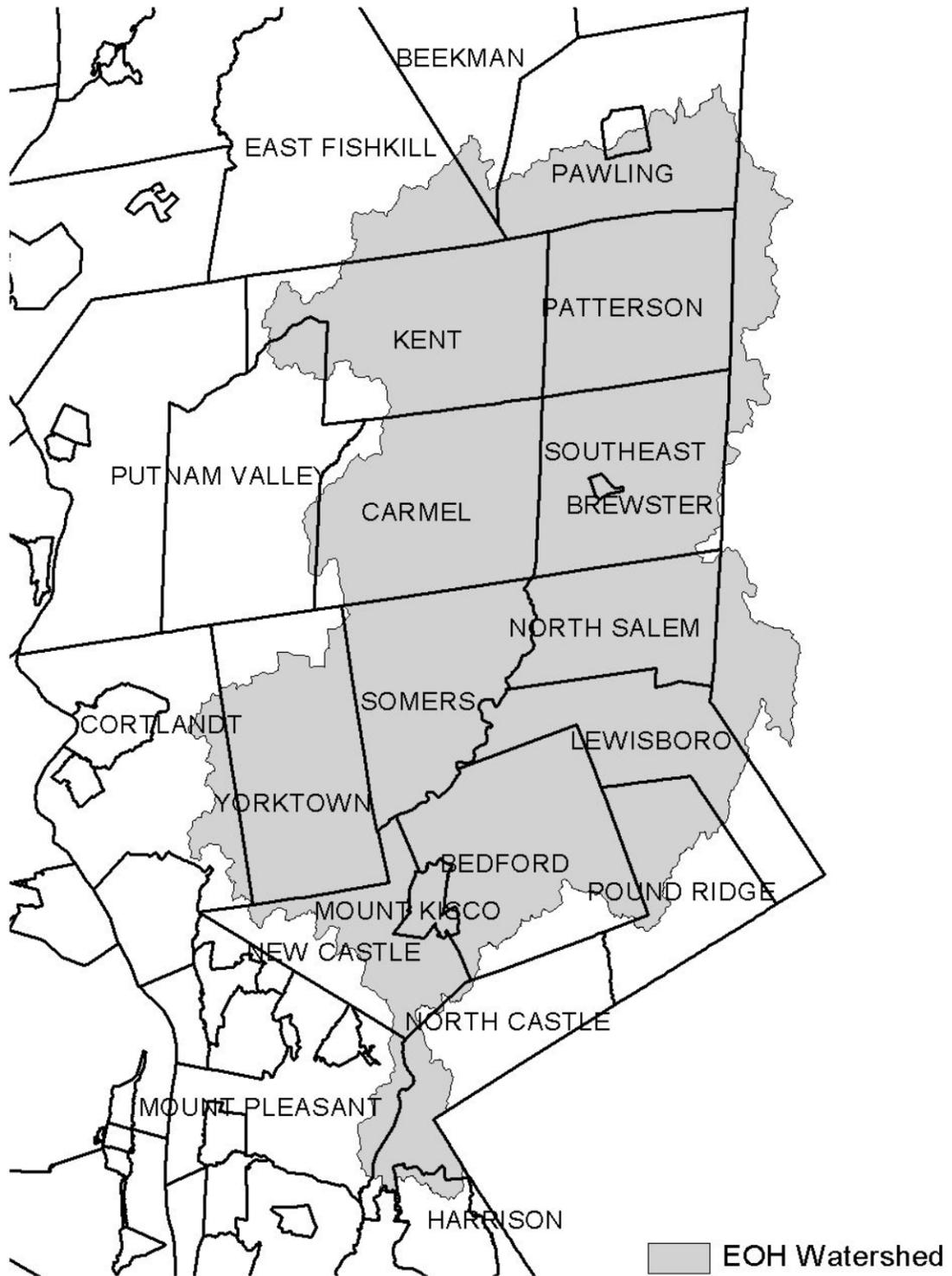


Figure 2 - Onondaga Lake Watershed



Figure 3 - Greenwood Lake Watershed

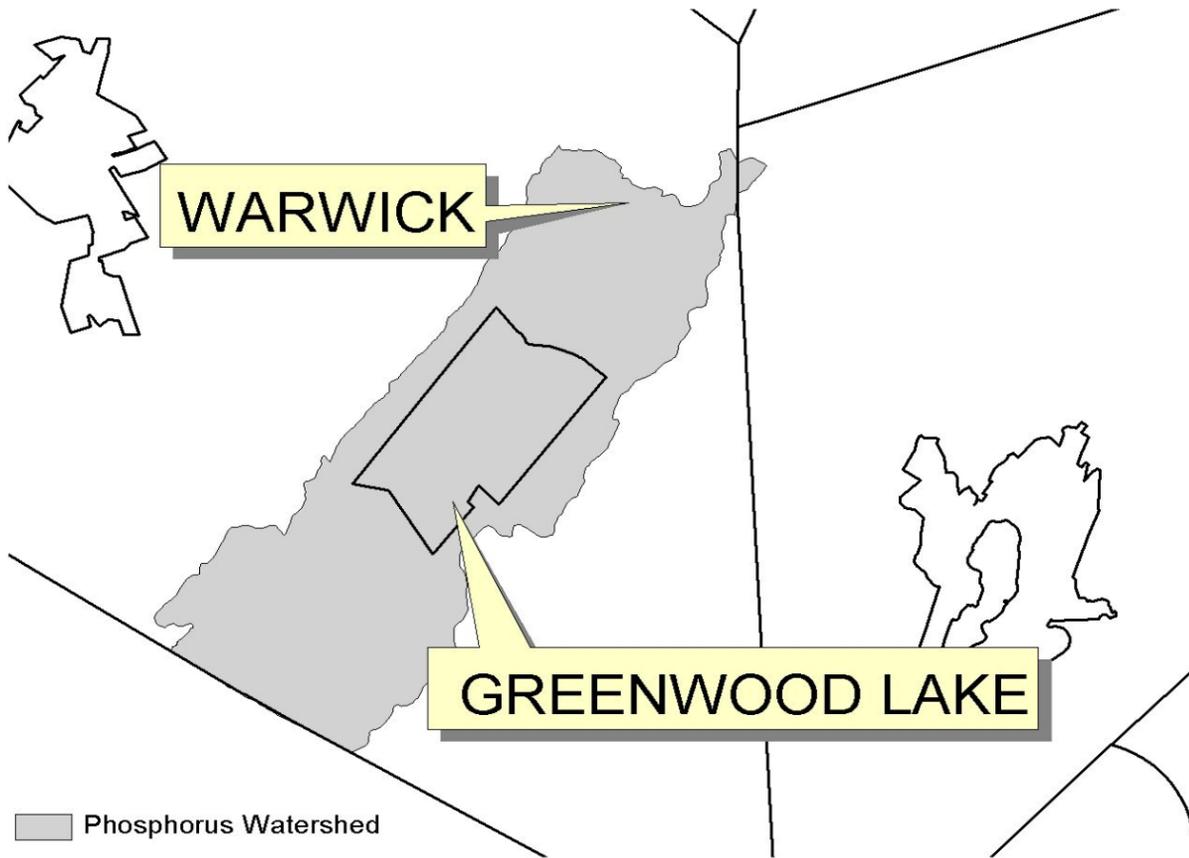


Figure 4 - Oscawana Lake Watershed

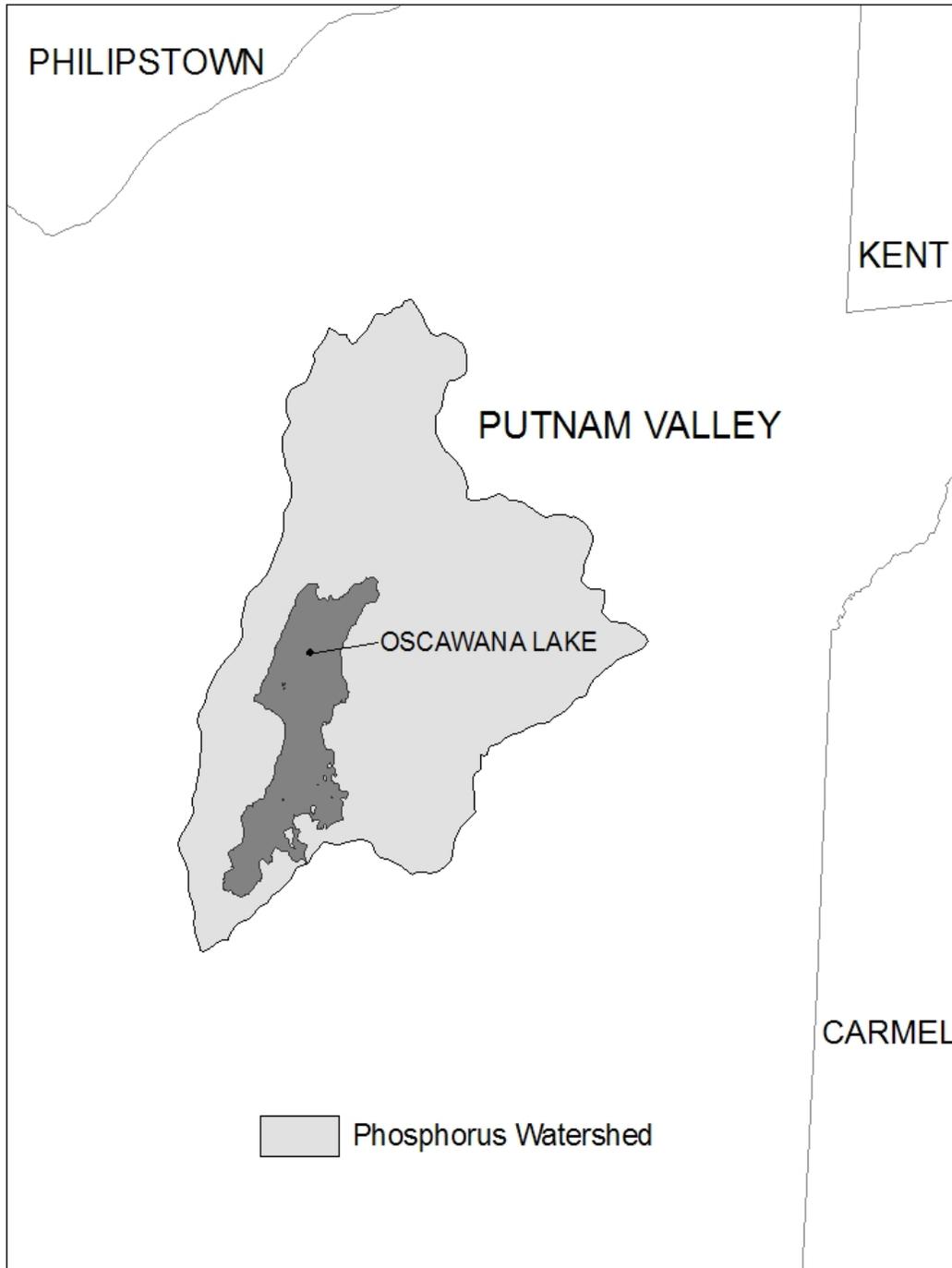
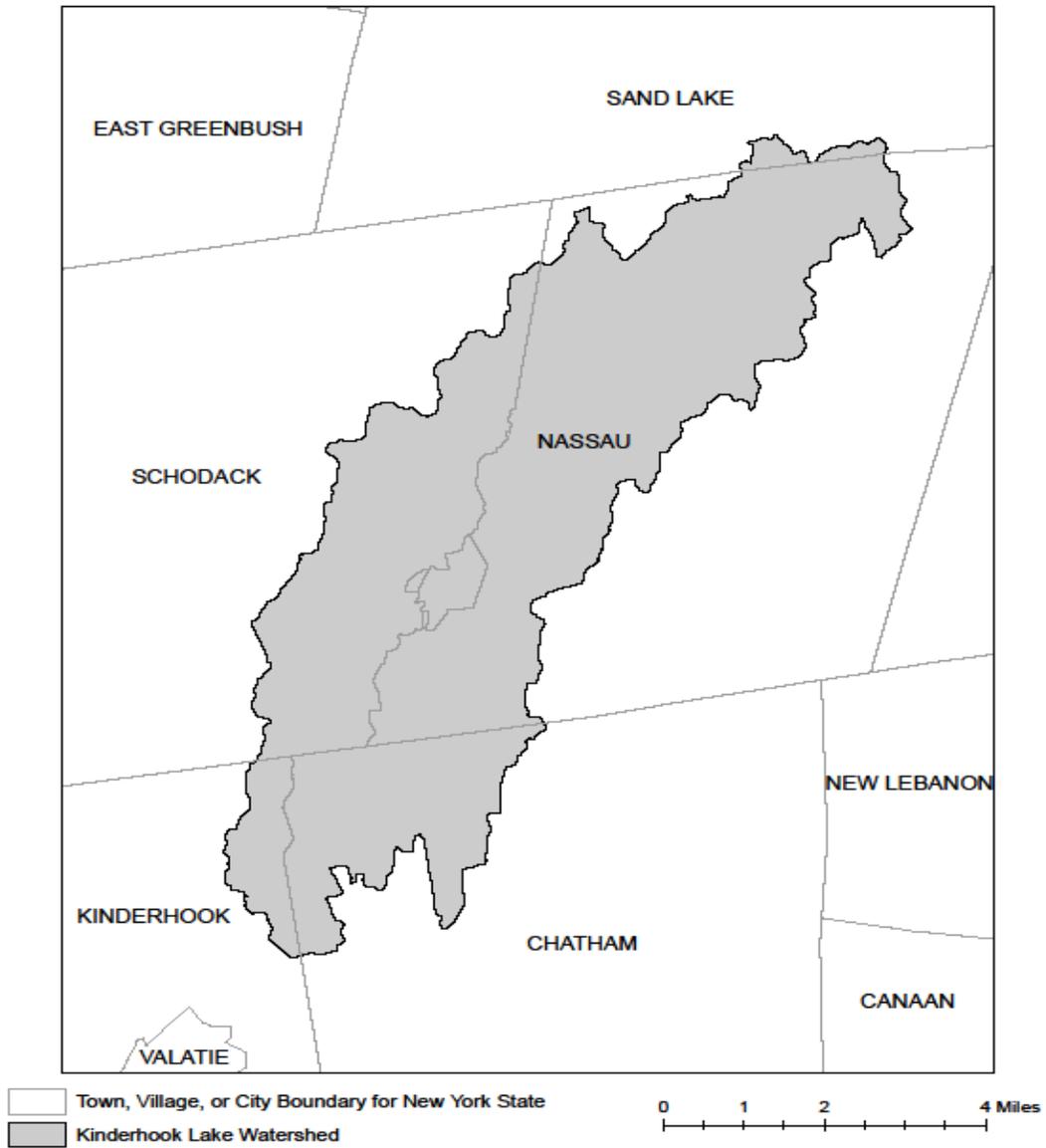


Figure 5: Kinderhook Lake Watershed



XI. **APPENDIX D**

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

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

XII. APPENDIX E

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

| COUNTY | WATERBODY | COUNTY | WATERBODY |
|-------------|--|------------|---------------------------------------|
| Albany | Ann Lee (Shakers) Pond, Stump Pond | Greene | Sleepy Hollow Lake |
| Albany | Basic Creek Reservoir | Herkimer | Steele Creek tribs |
| Allegheny | Amity Lake, Saunders Pond | Kings | Hendrix Creek |
| Bronx | Van Cortlandt Lake | Lewis | Mill Creek/South Branch and tribs |
| Broome | Whitney Point Lake/Reservoir | Livingston | Conesus Lake |
| Broome | Fly Pond, Deer Lake | Livingston | Jaycox Creek and tribs |
| Broome | Minor Tribs to Lower Susquehanna (north) | Livingston | Mill Creek and minor tribs |
| Cattaraugus | Allegheny River/Reservoir | Livingston | Bradner Creek and tribs |
| Cattaraugus | Case Lake | Livingston | Christie Creek and tribs |
| Cattaraugus | Linlyco/Club Pond | Monroe | Lake Ontario Shoreline, Western |
| Cayuga | Duck Lake | Monroe | Mill Creek/Blue Pond Outlet and tribs |
| Chautauqua | Chautauqua Lake, North | Monroe | Rochester Embayment - East |
| Chautauqua | Chautauqua Lake, South | Monroe | Rochester Embayment - West |
| Chautauqua | Bear Lake | Monroe | Unnamed Trib to Honeoye Creek |
| Chautauqua | Chadakoin River and tribs | Monroe | Genesee River, Lower, Main Stem |
| Chautauqua | Lower Cassadaga Lake | Monroe | Genesee River, Middle, Main Stem |
| Chautauqua | Middle Cassadaga Lake | Monroe | Black Creek, Lower, and minor tribs |
| Chautauqua | Findley Lake | Monroe | Buck Pond |
| Clinton | Great Chazy River, Lower, Main Stem | Monroe | Long Pond |
| Columbia | Kinderhook Lake | Monroe | Cranberry Pond |
| Columbia | Robinson Pond | Monroe | Mill Creek and tribs |
| Dutchess | Hillside Lake | Monroe | Shipbuilders Creek and tribs |
| Dutchess | Wappinger Lakes | Monroe | Minor tribs to Irondequoit Bay |
| Dutchess | Fall Kill and tribs | Monroe | Thomas Creek/White Brook and tribs |
| Erie | Green Lake | Nassau | Glen Cove Creek, Lower, and tribs |
| Erie | Scajaquada Creek, Lower, and tribs | Nassau | LI Tribs (fresh) to East Bay |
| Erie | Scajaquada Creek, Middle, and tribs | Nassau | East Meadow Brook, Upper, and tribs |
| Erie | Scajaquada Creek, Upper, and tribs | Nassau | Hempstead Bay |
| Erie | Rush Creek and tribs | Nassau | Hempstead Lake |
| Erie | Ellicott Creek, Lower, and tribs | Nassau | Grant Park Pond |
| Erie | Beeman Creek and tribs | Nassau | Beaver Lake |
| Erie | Murder Creek, Lower, and tribs | Nassau | Camaans Pond |
| Erie | South Branch Smoke Cr, Lower, and tribs | Nassau | Halls Pond |
| Erie | Little Sister Creek, Lower, and tribs | Nassau | LI Tidal Tribs to Hempstead Bay |
| Essex | Lake George (primary county: Warren) | Nassau | Massapequa Creek and tribs |
| Genesee | Black Creek, Upper, and minor tribs | Nassau | Reynolds Channel, east |
| Genesee | Tonawanda Creek, Middle, Main Stem | Nassau | Reynolds Channel, west |
| Genesee | Oak Orchard Creek, Upper, and tribs | Nassau | Silver Lake, Lofts Pond |
| Genesee | Bowen Brook and tribs | Nassau | Woodmere Channel |
| Genesee | Bigelow Creek and tribs | Niagara | Hyde Park Lake |
| Genesee | Black Creek, Middle, and minor tribs | Niagara | Lake Ontario Shoreline, Western |
| Genesee | LeRoy Reservoir | Niagara | Bergholtz Creek and tribs |
| Greene | Schoharie Reservoir | Oneida | Ballou, Nail Creeks |
| | | Onondaga | Ley Creek and tribs |
| | | Onondaga | Onondaga Creek, Lower and tribs |

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity, cont'd.

| COUNTY | WATERBODY | COUNTY | WATERBODY |
|--------------|--|-------------|--|
| Onondaga | Onondaga Creek, Middle and tribs | Suffolk | Great South Bay, West |
| Onondaga | Onondaga Creek, Upp, and minor tribs | Suffolk | Mill and Seven Ponds |
| Onondaga | Harbor Brook, Lower, and tribs | Suffolk | Moriches Bay, East |
| Onondaga | Ninemile Creek, Lower, and tribs | Suffolk | Moriches Bay, West |
| Onondaga | Minor tribs to Onondaga Lake | Suffolk | Quantuck Bay |
| Onondaga | Onondaga Creek, Lower, and tribs | Suffolk | Shinnecock Bay (and Inlet) |
| Ontario | Honeoye Lake | Sullivan | Bodine, Montgomery Lakes |
| Ontario | Hemlock Lake Outlet and minor tribs | Sullivan | Davies Lake |
| Ontario | Great Brook and minor tribs | Sullivan | Pleasure Lake |
| Orange | Monhagen Brook and tribs | Sullivan | Swan Lake |
| Orange | Orange Lake | Tompkins | Cayuga Lake, Southern End |
| Orleans | Lake Ontario Shoreline, Western | Tompkins | Owasco Inlet, Upper, and tribs |
| Oswego | Pleasant Lake | Ulster | Ashokan Reservoir |
| Oswego | Lake Neatahwanta | Ulster | Esopus Creek, Upper, and minor tribs |
| Putnam | Oscawana Lake | Ulster | Esopus Creek, Lower, Main Stem |
| Putnam | Palmer Lake | Ulster | Esopus Creek, Middle, and minor tribs |
| Putnam | Lake Carmel | Warren | Lake George |
| Queens | Jamaica Bay, Eastern, and tribs (Queens) | Warren | Tribs to L.George, Village of L George |
| Queens | Bergen Basin | Warren | Huddle/Finkle Brooks and tribs |
| Queens | Shellbank Basin | Warren | Indian Brook and tribs |
| Rensselaer | Nassau Lake | Warren | Hague Brook and tribs |
| Rensselaer | Snyders Lake | Washington | Tribs to L.George, East Shr Lk George |
| Richmond | Grasmere, Arbutus and Wolfes Lakes | Washington | Cossayuna Lake |
| Rockland | Congers Lake, Swartout Lake | Washington | Wood Cr/Champlain Canal, minor tribs |
| Rockland | Rockland Lake | Wayne | Port Bay |
| Saratoga | Ballston Lake | Wayne | Marbletown Creek and tribs |
| Saratoga | Round Lake | Westchester | Lake Katonah |
| Saratoga | Dwaas Kill and tribs | Westchester | Lake Mohegan |
| Saratoga | Tribs to Lake Lonely | Westchester | Lake Shenorock |
| Saratoga | Lake Lonely | Westchester | Reservoir No.1 (Lake Isle) |
| Schenectady | Collins Lake | Westchester | Saw Mill River, Middle, and tribs |
| Schenectady | Duane Lake | Westchester | Silver Lake |
| Schenectady | Mariaville Lake | Westchester | Teatown Lake |
| Schoharie | Engleville Pond | Westchester | Truesdale Lake |
| Schoharie | Summit Lake | Westchester | Wallace Pond |
| Schuyler | Cayuta Lake | Westchester | Peach Lake |
| St. Lawrence | Fish Creek and minor tribs | Westchester | Mamaroneck River, Lower |
| St. Lawrence | Black Lake Outlet/Black Lake | Westchester | Mamaroneck River, Upp, and tribs |
| Steuben | Lake Salubria | Westchester | Sheldrake River and tribs |
| Steuben | Smith Pond | Westchester | Blind Brook, Lower |
| Suffolk | Millers Pond | Westchester | Blind Brook, Upper, and tribs |
| Suffolk | Mattituck (Marratooka) Pond | Westchester | Lake Lincolndale |
| Suffolk | Tidal tribs to West Moriches Bay | Westchester | Lake Meahaugh |
| Suffolk | Canaan Lake | Wyoming | Java Lake |
| Suffolk | Lake Ronkonkoma | Wyoming | Silver Lake |
| Suffolk | Beaverdam Creek and tribs | | |
| Suffolk | Big/Little Fresh Ponds | | |
| Suffolk | Fresh Pond | | |
| Suffolk | Great South Bay, East | | |
| Suffolk | Great South Bay, Middle | | |

Note: The list above identifies those waters from the final New York State "2014 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy", dated January 2015, that are impaired by silt, sediment or nutrients.

XIII. APPENDIX F

LIST OF NYS DEC REGIONAL OFFICES

| <u>Region</u> | <u>COVERING THE FOLLOWING COUNTIES:</u> | <u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u> | <u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u> |
|----------------------|--|--|--|
| 1 | NASSAU AND SUFFOLK | 50 CIRCLE ROAD 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 | 100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505 |
| 4 | ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE | 1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069 | 1130 NORTH WESTCOTT ROAD SCHENECTADY, 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 | 615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438 | 615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500 |
| 8 | CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES | 6274 EAST AVON-LIMA ROAD AVON, 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 | 270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165 | 270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070 |

TAB 8
APPENDIX F - AGENCY CORRESPONDENCE



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form
for

Construction Activities Seeking Authorization Under SPDES General Permit

*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

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:

12. MS4 SPDES Permit Identification Number: NYR20A _____

13. Contact Person:

14. Street Address:

15. City/State/Zip:

16. 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 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:

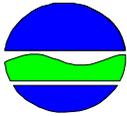
Title/Position:

Signature:

Date:

VI. Additional Information

NOTICE OF INTENT



**New York State Department of Environmental Conservation
 Division of Water
 625 Broadway, 4th Floor
 Albany, New York 12233-3505**

NYR
 (For DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002
 All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

- IMPORTANT -
RETURN THIS FORM TO THE ADDRESS ABOVE
OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)

L I G H T H O U S E L A N D I N G V E N T U R E L L C

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

C O O K

Owner/Operator Contact Person First Name

B R U C E

Owner/Operator Mailing Address

2 3 9 2 M O R S E A V E N U E

City

I R V I N E

State

C A

Zip

9 2 6 1 4 -

Phone (Owner/Operator)

9 4 9 - 2 4 1 - 8 4 0 6

Fax (Owner/Operator)

9 4 9 - 2 4 1 - 8 4 8 6

Email (Owner/Operator)

b c o o k @ a r g e n t m a n a g e m e n t l l c . c o m

FED TAX ID

8 0 - 0 9 6 7 5 6 0 (not required for individuals)

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? Yes No Unknown

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

L I G H T H O U S E L A N D I N G V E N T U R E L L C

17. Does any runoff from the site enter a sewer classified as a Combined Sewer? Yes No Unknown

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law? Yes No

19. Is this property owned by a state authority, state agency, federal government or local government? Yes No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) Yes No

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)? Yes No

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)? Yes No
If No, skip questions 23 and 27-39.

Note: Redevelopment stormwater requirements are met by reducing impervious surfaces by more than 25%.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual? Yes No

Post-construction Stormwater Management Practice (SMP) Requirements

Important: Completion of Questions 27-39 is not required if response to Question 22 is No.

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

- Preservation of Undisturbed Areas**
- Preservation of Buffers**
- Reduction of Clearing and Grading**
- Locating Development in Less Sensitive Areas**
- Roadway Reduction**
- Sidewalk Reduction**
- Driveway Reduction**
- Cul-de-sac Reduction**
- Building Footprint Reduction**
- Parking Reduction**

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

- All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

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

Total WQv Required

. **acre-feet**

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required(#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

| <u>RR Techniques (Area Reduction)</u> | <u>Total Contributing Area (acres)</u> | | <u>Total Contributing Impervious Area (acres)</u> | |
|---|--|----------------------|---|----------------------|
| <input type="radio"/> Conservation of Natural Areas (RR-1) ... | <input type="text"/> | <input type="text"/> | and/or | <input type="text"/> |
| <input type="radio"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2) | <input type="text"/> | <input type="text"/> | and/or | <input type="text"/> |
| <input type="radio"/> Tree Planting/Tree Pit (RR-3) | <input type="text"/> | <input type="text"/> | and/or | <input type="text"/> |
| <input type="radio"/> Disconnection of Rooftop Runoff (RR-4) .. | <input type="text"/> | <input type="text"/> | and/or | <input type="text"/> |
| <u>RR Techniques (Volume Reduction)</u> | | | | |
| <input type="radio"/> Vegetated Swale (RR-5) | | | | |
| <input type="radio"/> Rain Garden (RR-6) | | | | |
| <input type="radio"/> Stormwater Planter (RR-7) | | | | |
| <input type="radio"/> Rain Barrel/Cistern (RR-8) | | | | |
| <input type="radio"/> Porous Pavement (RR-9) | | | | |
| <input type="radio"/> Green Roof (RR-10) | | | | |
| <u>Standard SMPs with RRv Capacity</u> | | | | |
| <input type="radio"/> Infiltration Trench (I-1) | | | | |
| <input type="radio"/> Infiltration Basin (I-2) | | | | |
| <input type="radio"/> Dry Well (I-3) | | | | |
| <input type="radio"/> Underground Infiltration System (I-4) | | | | |
| <input type="radio"/> Bioretention (F-5) | | | | |
| <input type="radio"/> Dry Swale (O-1) | | | | |
| <u>Standard SMPs</u> | | | | |
| <input type="radio"/> Micropool Extended Detention (P-1) | | | | |
| <input type="radio"/> Wet Pond (P-2) | | | | |
| <input type="radio"/> Wet Extended Detention (P-3) | | | | |
| <input type="radio"/> Multiple Pond System (P-4) | | | | |
| <input type="radio"/> Pocket Pond (P-5) | | | | |
| <input type="radio"/> Surface Sand Filter (F-1) | | | | |
| <input type="radio"/> Underground Sand Filter (F-2) | | | | |
| <input type="radio"/> Perimeter Sand Filter (F-3) | | | | |
| <input type="radio"/> Organic Filter (F-4) | | | | |
| <input type="radio"/> Shallow Wetland (W-1) | | | | |
| <input type="radio"/> Extended Detention Wetland (W-2) | | | | |
| <input type="radio"/> Pond/Wetland System (W-3) | | | | |
| <input type="radio"/> Pocket Wetland (W-4) | | | | |
| <input type="radio"/> Wet Swale (O-2) | | | | |

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

Note: Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

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

WQv Provided

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|
| | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | | | . | | | |
|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|



New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized
under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR _____

I. Owner or Operator Information

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person:

4a. Telephone:

5. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

III. Reason for Termination

9a. All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP.
*Date final stabilization completed (month/year): _____

9b. Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed?
 yes no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued**

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? yes no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- For post-construction stormwater management practices that are privately owned, the deed of record has been modified to include a deed covenant that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.
- For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? _____ (acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? yes no
(If Yes, complete section VI - "MS4 Acceptance" statement)

V. Additional Information/Explanation:
(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name:

Title/Position:

Signature:

Date:

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued**

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

(NYS DEC Notice of Termination - January 2010)