
Documents Comprising the
Storm Water Pollution Prevention Plan
(SWPPP)

for the
FLX Marine Boat Display Expansion
2121 State Route 332
Town of Canandaigua, NY

Prepared for:
Frontenac Holding, LLC
21 Basin Street
Union Springs, NY 13160

Prepared by:
Thornton Engineering LLP
30 Assembly Drive, Suite 106
Mendon, NY 14506

December 2021

Table of Contents

Foreword

Part I	Project Description
Part II	Existing Site Conditions
Part III	Proposed Development
Part IV	Erosion and Sedimentation Control
Part V	Water Quality and Water Quantity Control
Part VI	Construction Sequence Scheduling
Part VII	Signatory Requirements

List of Figures

Figure 1	Pre Development Conditions
Figure 2	Possible Post Development Conditions

Appendices

Appendix A	Erosion and Sedimentation Control Practices
Appendix B	Water Quality and Water Quantity Calculations
Appendix C	Notice of Intent / Notice of Termination
Appendix D	NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)
Appendix E	Declaration of Restrictive Covenant Regarding Stormwater Maintenance

List of Exhibits

Exhibit A	Dwg. S-1, Site Plan Dwg. D-1, Miscellaneous Details
Exhibit B	E & S Control Inspection Report Form

Foreword

The Storm Water Pollution Prevention Plan for the FLX Marine Boat Display Expansion project at 2121 State Route 332 in the Town of Canandaigua, New York, has been assembled in accordance with the requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity; Permit No. GP-0-20-001. Coverage under this General Permit will be obtained by submitting a Notice of Intent to the Department a minimum of five business days prior to site disturbance.

Part I Project Description

The FLX Marine Boat Display Expansion project includes the construction of 10,210 s.f. of additional asphalt pavement for the display of boats that are offered for sale. Although the pavement construction will disturb less than one acre of land, the Town of Canandaigua has mandated the preparation of a full Storm Water Pollution Prevention Plan including post construction water quality and water quantity controls. The project is expected to commence in March 2022 and to be completed by May 2022. The project location has been depicted on the Location Map.



Location Map

Contact Information:

Owner's Representative:

Kevin Degraw
Frontenac Holding, LLC
21 Basin Street
Union Springs, NY 13160
636-236-7607
k.degraw@att.net

SWPPP Preparer:

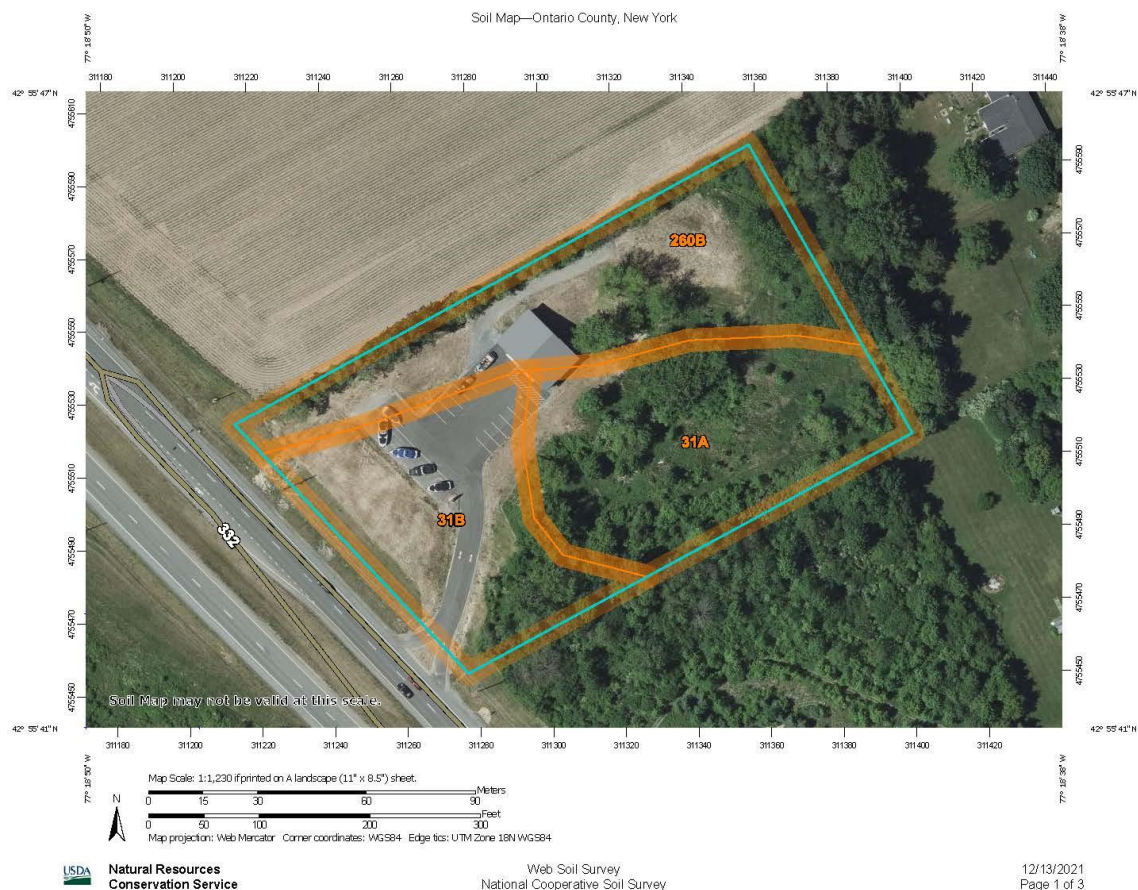
Glenn F. Thornton, P.E.
Thornton Engineering LLP
30 Assembly Drive, Suite 106
Mendon, NY 14506
585-624-4810 tel.
glenn@thorntoneng.com

Part II Existing Site Conditions

The northern portion of the 2.88 acre land parcel was developed by the current owner in 2019 and included construction of a 2,400 s.f. sales building, a wastewater treatment system, and approximately 8,000 s.f. of asphalt pavement for display of boats and vehicle parking. Since the prior construction did not exceed one acre of ground disturbance, post construction stormwater quality and quantity controls were not included in the project.

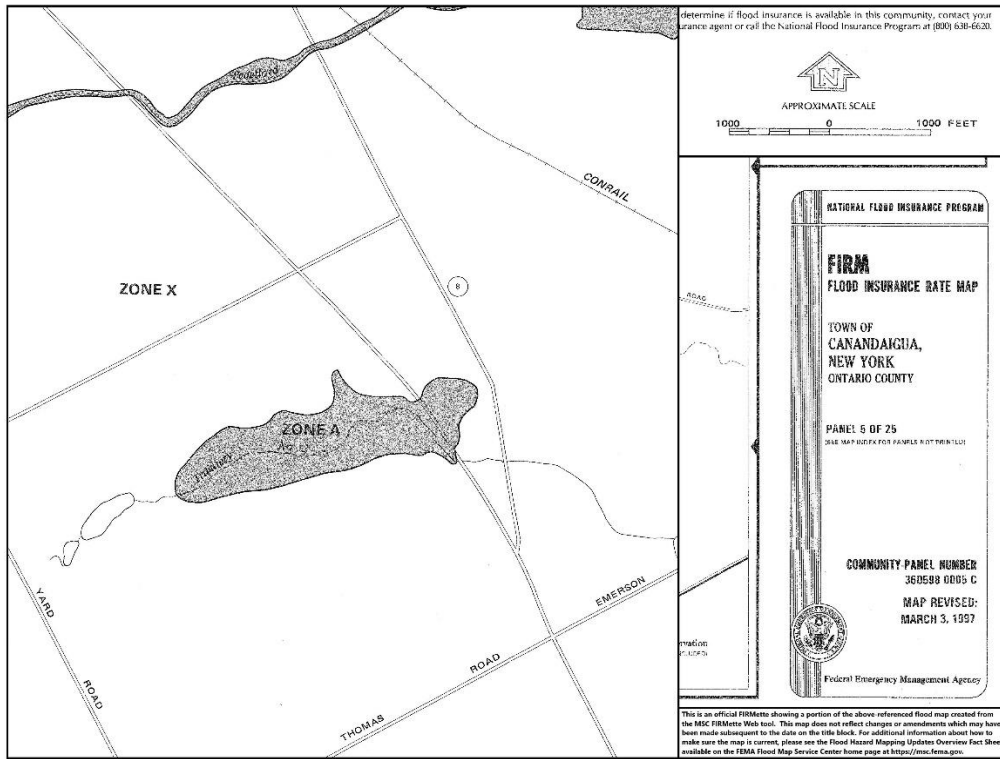
The currently proposed construction of 10,210 s.f. of asphalt pavement is situated within the southern undeveloped portion of the property. The project area has not undergone significant land grading in the past and was likely only used for farming or pasture. The project area is covered with grass, weeds, brush, and scattered trees and is sloped toward the north with surface runoff draining onto the adjacent parcel.

Soils within the project area consist of Collamer silt loam which is a moderately well drained soil consisting of silt loam to a depth of 72 inches. This soil is moderately permeable with a water table typically at a depth of 18 to 24 inches and bedrock depth exceeding 72 inches. The soil is classified as a Hydrologic Soils Group C/D soil.

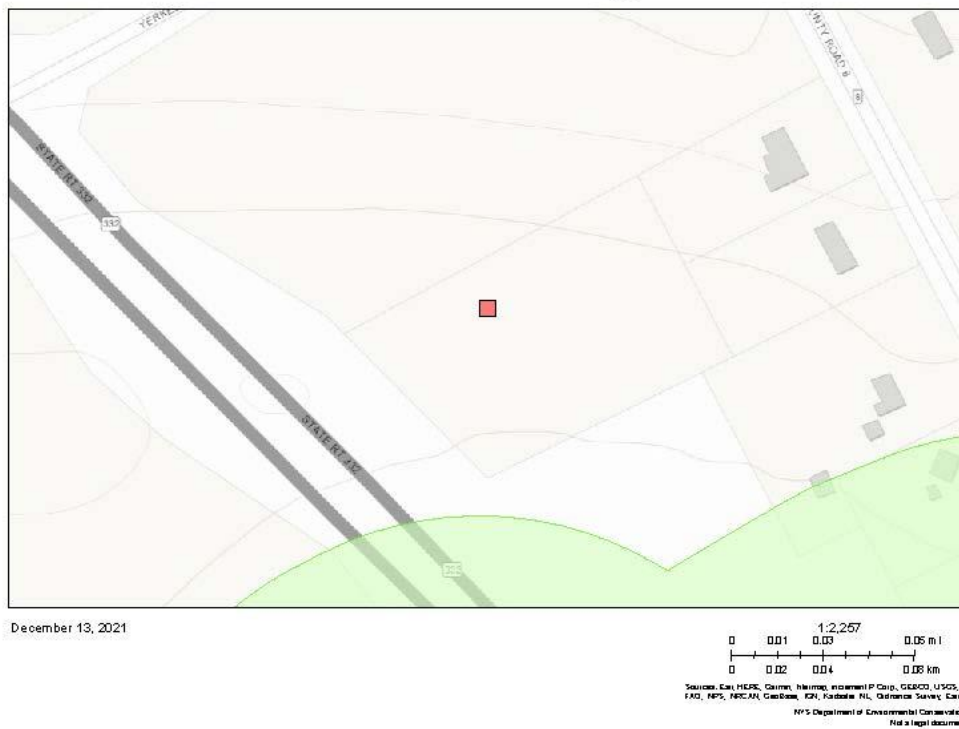


Although there are no known active water active supply wells or sewage treatment systems within the project area, the wastewater treatment system serving the property is located to the northeast of the project area. The project area does not contain highly erodible areas, steep slopes, natural resource conservation areas, Federal wetlands, New York State Department of Environmental Conservation (NYSDEC) wetlands, or 100 year floodplains mapped by the Federal Emergency Management Agency (FEMA). Although the project is located within an archaeologically sensitive area, a “no effect” letter was obtained by the New York State Parks, Recreation, and Historic Preservation office. Refer to the following maps and correspondence.





Environmental Resource Mapper





ANDREW M. CUOMO
Governor

Parks, Recreation, and Historic Preservation

ROSE HARVEY
Commissioner

August 10, 2018

Mr. Glenn Thornton
Thornton Engineering LLP
30 Assembly Drive
Suite 106
Mendon, NY 14506

Re: DEC
Frontenac Boat Sales
Rochester Road, Canandaigua, NY
18PR05163

Dear Mr. Thornton:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

Part III Proposed Development

Construction activities associated with the proposed development will involve removal of selected grass/brush areas and trees to accommodate the construction of the asphalt pavements. These areas total 0.40 acres. However, since the Town of Canandaigua has mandated that the project include post construction stormwater controls, the additional land disturbance to incorporate a stormwater pond will result in total land disturbance of 0.65 acres within a 1.39 acre project area. A summary of the expected changes to impervious areas within the project area resulting from the project follows:

Project Area	1.39 acres
Existing Impervious Surface Area	0.00 acres (0%)
Proposed Impervious Surface Area	0.23 acres (17%)

It is expected that construction activities will result in ground disturbance of approximately 0.65 acres. Soil disturbance areas and proposed impervious areas are depicted on the Site Plan included by reference in the Storm Water Pollution Prevention Plan as Exhibit A.

The new boat display pavement will be sloped to the east and will sheet drain through a pea gravel diaphragm into a dry swale for stormwater treatment prior to discharge to the new stormwater pond. The stormwater pond will be graded and shaped to provide stormwater management satisfying current NYSDEC SPDES permit criteria. The stormwater pond will discharge into a flow diffuser to create nonerosive sheet drainage contained within the 2.88 acre land parcel.

Construction is expected to commence in March 2022 and conclude in May 2022. Pollution prevention practices will be employed during construction to prevent litter, construction chemicals and construction debris from becoming a pollutant source in stormwater. The following controls will be implemented:

- Litter and construction debris will be picked up on a daily basis and placed within covered trash receptacles.
- Construction materials that are temporarily stored in the work area will be secured with straps or anchors, or covered to prevent wind transport.
- All points of entry into the storm drainage system will be screened to prevent entry of litter or debris.
- Construction chemicals and hazardous substances will be stored in accordance with all applicable environmental regulations. The contractor will have appropriate spill containment devices on the jobsite at all times.

Part IV Erosion and Sedimentation Control

A. Planned Erosion and Sedimentation Control Practices During Construction (refer to Appendix A for details and specifications)

1. **Stabilized Construction Access:** A temporary gravel construction exit will be installed at the entrance to the new boat display area. During wet weather it may be necessary to wash vehicle tires at this location. See pages 2.30 and 2.31 for specifications.
2. **Land Grading:** Grading will be required on approximately 0.65 acres. The steepest 1 on 3 slopes after grading will be immediately stabilized to maintain the overall slight erosion potential of the site.

Slopes will generally be 1 on 4 or flatter to avoid instability due to wetness and to allow vegetated slopes to be mowed. Slopes will be topsoiled and fine graded immediately after rough grading; the surface will be disked and vegetated according to the detailed specifications included in the general construction contract.

Excavated areas within the pond will be constructed to 1 on 4 maximum slopes. Slopes will be seeded and protected with mulch in accordance with the detailed specifications included in the general construction contract.

See pages 4.24, 4.25, 4.27, and 4.28 for specifications.

3. **Silt Fence:** A silt fence will be constructed around the perimeter of the project site to prevent the transport of sediment off the site via sheet drainage flows. See pages 5.54, 5.55, and 5.56 for specifications.
4. **Surface Stabilization:** Surface stabilization will be accomplished with vegetation and mulch as soon as topsoil and fine grading is completed. Boat display area base courses will be installed as soon as finished grade is reached. See pages 4.59, 4.60, 4.39, 4.40, and 4.41 for specifications.

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, or within seven (7) days when 5 or more acres are disturbed.

5. **Dust Control:** Dust control is not expected to be a problem due to the small area of exposure and the relatively short time of exposure. Should excessive dust be generated, it will be controlled by sprinkling. See page 2.25 for specifications.
6. **Check Dam:** A permanent rock check dam will be provided. See pages 3.2 and 3.3 for specifications.

B. Erosion and Sedimentation Control Program

1. *Pre-Construction Actions*

- a. Obtain plan approval and other applicable permits.
- b. Flag the work limits and mark underground utilities.
- c. Hold pre-construction conference at least one week prior to starting construction.
- d. Install silt fence as the first construction activity.
- e. Install stabilized construction entrance/exit.
- f. Construct other soil erosion and sedimentation control measures in the sequence that is depicted on the plan.
- g. A copy of the SWPPP and the Sediment and Erosion Control Plan are to be maintained on site at all times and shall be accessible to the Town of Canandaigua and other regulatory agencies.

2. *Runoff and Drainage Control*

- a. Rough grade the stormwater pond area.
- b. Construct the dry swale to help direct storm runoff into the pond.
- c. Divert all stormwater runoff within the project area to the new permanent drainage swales and pond or to temporary construction ditches and temporary stone outlet sediment traps using the appropriate control practices.

3. *Grading*

- a. Finish the slopes around new pavements as soon as rough grading is complete. Leave the surface slightly roughened and vegetate and mulch immediately.
- b. Progress site clearing and excavations as required to accommodate construction sequencing plans for the pavements and building. Surplus excavated material will be placed within the new berms around the pond.
- c. Complete final grading for the pavement area and stabilize with crusher run stone.

4. Erosion Control

- a. Maintain gentle slopes within all rough graded areas prior to the implementation of permanent vegetative stabilization measures.
- b. Avoid channelization of stormwater runoff during construction and post construction. Maintain existing sheet drainage patterns wherever possible.

5. Sediment Control

- a. Strip topsoil from within the construction limits and if stockpiled onsite install silt fence to enclose the stockpile area.
- b. Maintain existing turf vegetation between toe of fill slope and silt fence to serve as a filter strip.

6. Maintenance and Inspection

- a. The contractor shall be responsible for installing, maintaining, and removing all erosion and sediment controls during construction and until permanent restoration is complete and vegetation reestablished,
- b. Erosion control measures shall be undertaken upon commencement of construction activities.
- c. The site shall be continuously monitored for excessive soil erosion and uncontrolled sedimentation. Corrective actions will be immediately initiated.
- d. Estimated time for measures to be maintained – 4 months. Erosion and sediment control measures shall be maintained until a Town of Canandaigua Representative approves their removal.
- e. Controls in the area of active construction shall be visually inspected on a daily basis and repaired as necessary to restore the intended purpose.
- f. Inspection of the controls for the entire project site shall be inspected at least once weekly and twice weekly separated by a minimum of two full calendar days during times with more than 5 acres of land disturbance.
- g. Each inspection shall, at the minimum, include the following:
 - Disturbed area shall be inspected for evidence of, or the potential for, pollutants entering the drainage system.
 - Erosion and sediment control measures shall be inspected to ensure they are operating correctly.

- Discharge locations shall be inspected to ensure erosion control measures are effective in preventing significant impact to receiving waters.
 - Location where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.
- h. The process for conducting the evaluation will follow these steps:
- Review the Storm Water Pollution Prevention Plan and draw up a list of items of concern.
 - List all specified control measures and areas covered in the plan.
 - Conduct inspections to determine whether all stormwater pollution prevention measures are accurately identified in the plan, are in place and working properly.
 - Document findings.
 - Modify SWPPP as appropriate.
- i. In addition, an inspection report must be prepared summarizing the following information:
- The scope of the inspection.
 - Names and qualifications of personnel making the inspection.
 - Date(s) of the inspection.
 - Major observations related to stormwater pollution prevention.
 - Extent of site disturbance (indicated on map).
 - Degree of sediment accumulation at each sediment control.
 - Maintenance requirements at each control.
 - Appropriate actions taken as a result of the inspection.
 - Incidents of non-compliance (SWPPP implementation deficiencies).
 - If applicable, statement of compliance.
 - Expected site disturbance within next 14 days.

- j. The visual inspection check list shall be used as a guideline for items to be examined. The information must then be used to prepare an inspection report detailing the location, type, condition of control and any modifications ordered. A sample inspection report form is included as Exhibit B.

7. *Final Grading and Landscaping*

- a. Complete pond and dry swale construction.
- b. Complete final grading of grounds, topsoil areas to be seeded, and permanently vegetate and mulch.
- c. After the site is stabilized, remove all temporary soil erosion and sedimentation control measures and install permanent vegetation on the disturbed areas.

C. Post Construction Erosion and Sedimentation Control Practices (refer to Appendix A for details)

1. Stormwater Retention and Detention: A stormwater pond will be provided as a permanent stormwater control structure. Refer to Part V. Water Quality and Water Quantity Control for design criteria.
2. Dry Swale: A dry swale will be constructed to satisfy green infrastructure requirements.
3. Flow Diffuser: A permanent flow diffuser will be constructed to discharge stormwater in shallow, low velocity sheet flow. See pages 3.16, 3.17, and 3.18 for specifications.

D. Maintenance Plan

1. A legible 18 inch by 24 inch sign shall be posted in the vicinity of the stormwater pond to identify the stormwater management practice and SPDES Construction Permit Number.
2. Long term operation and maintenance of the stormwater ponds shall be provided by the owner.
 - Parking and roads shall be cleaned or swept on an as needed basis.
 - Drainage inlets and storm manholes are to be inspected on an annual basis and cleaned when 50% of the bottom is filled with sediment.
 - Inlet grates shall be inspected periodically and debris should be removed.
 - Lawn areas shall be maintained and or reseeded to protect against erosion.
 - Fertilizers shall be applied in order to maintain a healthy lawn and to promote longevity. All fertilizers shall be applied per the manufactures recommendations.
 - Any lawn area disturbed after construction is completed shall be seeded or mulched (in landscaped) areas immediately and water shall be applied on a daily basis (either naturally by rain water or manually by tap water) until adequate seed germination has occurred.

- Pond areas shall be inspected periodically and the following maintenance problems shall be immediately corrected:
 - ◊ Embankment erosion
 - ◊ Embankment slippage
 - ◊ Emergency spillway erosion
 - ◊ Embankment seepage
 - ◊ Spillway obstructions
 - ◊ Trash rack obstructions
 - ◊ Forebay sediment accumulation (50% of design depth)
 - ◊ Riprap failures
 - ◊ Floating debris
- The pond forebay pools shall be inspected every spring after the spring snowmelt. The forebay pools shall be excavated back to their original depths when the pools have become 50% filled with sediment.
- The pond micropools shall be inspected every 5 years. The micropools shall be excavated back to their original depths when the pools have become 50% filled with sediment.
- The pond inspections and maintenance shall meet the requirements of the “Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist”, as published in Appendix “G” of the New York State Stormwater Management Design Manual, latest edition, at a minimum.
- The Property Owner will maintain a copy of any stormwater management system inspection checklists and reports prepared by themselves, their employees, or their consultants onsite in an organized file folder or binder for a minimum of seven (7) years. These reports shall be made available for inspection by the Town of Canandaigua upon request.

Part V Water Quality and Water Quantity Control

A. Water Quality Calculations

Storm runoff from the project area will be directed to the stormwater management area located within the southeastern portion of the parcel. Existing storm runoff patterns will be maintained since the stormwater management area (pond) will discharge into a flow diffuser to spread flow uniformly onto downslope areas.

The Water Quality Volume (WQ_v) represents a calculated volume of stormwater runoff from a development site. The NYS Stormwater Management Design Manual describes the WQ_v as a design methodology to improve water quality sizing to capture and treat 90% of the average annual stormwater runoff volume. Sizing of stormwater controls to satisfy the WQ_v requirements will achieve the NYS Stormwater Management Design Manual water quality objectives by default.

The WQ_v for the Boat Display Expansion project is 1,004 cubic feet. Calculations are included in Appendix B, Water Quality and Water Quantity Calculations.

B. Green Infrastructure Practices

The previously engineered site configuration of pavement and stormwater management areas was evaluated to determine whether additional green infrastructure practices as required for new site development designs, could be incorporated into the project. The following summary describes the green infrastructure practices that have been considered for this project and the design features that have been incorporated into the work to satisfy each practice.

1. Preservation of Undisturbed Areas
 - vegetated areas along the northern and eastern boundary of the project area will be preserved
2. Preservation of Buffers
 - the downstream buffer between the stormwater pond and residential properties to the east has been preserved
3. Reduction of Clearing and Grubbing
 - although most land areas will be cleared, the post development lawn areas will provide an improved vegetative cover less prone to erosion
4. Locating Development in Less Sensitive Areas
 - not applicable to the proposed boat display area which needs to be visible from the street
5. Open Space Design
 - not applicable to the proposed commercial development
6. Soil Restoration
 - graded and disturbed areas shall be restored prior to seeding

All disturbed areas must be restored in accordance with the Soil Restoration Requirements in Table 5.3 of the NYS Stormwater Management Design Manual. In general, areas without a change in grade should be aerated and 6" of topsoil should be applied. Aeration includes the use of machines such as tractor drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentation in the soil, or prongs which function like a mini-subsoiler.

Areas of cut or fill shall receive full restoration in accordance with "Deep-Ripping and Decompaction, April 2008" issued by the NYSDEC. Deep-ripping requires the use of heavy duty agricultural grade implements and machinery to thoroughly decompact (till) the subsoil to a depth of 20" to 24" during the first phase, followed by thoroughly tilling the replaced topsoil and upper 12" of decompacted subsoil during the second phase.

7. Reduction of Impervious Cover

- the size of new pavements has been minimized to accommodate critical existing needs

8. Green Infrastructure Techniques for Runoff Reduction

The proposed layout of the boat display area and stormwater pond are dependent upon achieving the following essential operational criteria:

- a pavement expansion location that can accommodate a future building and pavements to the east
- a stormwater pond located so that its discharges are self-contained within the parcel

The site plan, which has achieved these minimal objectives, has been adjusted as required to provide the greatest opportunity to apply green infrastructure techniques to satisfy runoff reduction requirements. The following options were considered and found infeasible.

- Conservation of Natural Areas.
- Sheet Flow to Riparian Buffers or Filter Strips.
- Vegetated Swale.
- Disconnection of Roof Runoff. The lack of adequate green space near the building prevents application of this technique.
- Rain Gardens. The lack of appropriately graded green space renders this technique infeasible.
- Green Roofs.
- Stormwater Planters. Similar to the discussion of rain gardens, an appropriately graded area for installation of this technique is not available.
- Rain Barrels or Cisterns. This type of RR technique was considered but found inappropriate for the commercial site with minimal landscape plantings that could benefit from watering from a rain barrel system.
- Porous Pavement. The variable soil conditions render application of the porous pavement technique somewhat risky. Since pavement failure could result if heavier soils encountered elsewhere on the site are placed under the proposed porous pavement area, use of this technique is not recommended.

Since the Runoff Reduction Factors associated with all green infrastructure techniques that have been implemented have exceeded the minimum RR_v for the site, the WQ_v stored and treated in the pond has been reduced to 765 cubic feet.

C. Water Quantity Calculations

Similar to water quality practices, the water quantity controls are applicable to the stormwater management area watershed. Sizing of stormwater management practices to satisfy water quantity controls was accomplished using the modified version of the TR-55 short cut sizing approach presented in the NYS Stormwater Management Design Manual. Since the owner/developer anticipates future development within the parcel, the water quantity controls have been sized to accommodate possible future conditions as depicted on

Figure 2, Possible Post Development Conditions. This approach yielded a total stream protection extended detention storage volume of 0.06 acre feet, total 10 year peak discharge storage volume of 0.07 acre feet, and total 100 year flood storage volume of 0.12 acre feet. Calculations are included in Appendix B, Water Quality and Water Quantity Calculations.

D. Water Quality and Water Quantity Stormwater Controls

A stormwater retention pond (micropool extended detention pond) will be provided within the area to the east of the development area. The pond will provide 100 percent of the required water quality storage in the permanent pool of water which will be about 1 foot deep. The stream protection storage, 10 year peak discharge storage and 100 year peak discharge storage will also be provided in a detention area above the permanent pool. The maximum depth of water in the detention pond to satisfy NYS Stormwater Management Design Manual requirements is about 2.8 feet.

Pond sizing calculations and pond outlet structure design procedures are included in Appendix B, Water Quality and Water Quantity Calculations.

Part VI Construction Sequence Scheduling

Stage 1 Pre-Construction Actions

1. Start Date: March 15, 2022
2. Activities:
 - utility stakeout
 - survey layout
 - pre-construction meeting
 - install perimeter silt fence
3. E & S Control Inspections: none required
4. Maintenance Actions: none required

Stage 2 Mass Grading and Pond Construction

1. Start Date: April 1, 2022
2. Activities:
 - install stabilized construction entrance

- strip topsoil within development area
 - stockpile topsoil within designated areas
 - construct permanent diversion swales and rough grade pond
 - rough grade development area
3. E & S Control Inspections:
- minimum once per week
 - inspect silt fencing, swales, access roads, dust condition, and unprotected slopes
4. Maintenance Actions:
- repair E & S Controls as required

Stage 3 Fine Grading within Pavement Area

1. Start Date: April 15, 2022
2. Activities:
- grade areas to receive pavement
 - place and compact crusher run stone pavement
 - grade disturbed areas adjacent to pavements
 - provide temporary or permanent seeding on all disturbed areas
3. E & S Control Inspections:
- minimum once per week
 - inspect silt fencing, swales, access roads, dust conditions and unprotected slopes
4. Maintenance Actions:
- repair E & S Controls as required

Stage 4 Pond Completion

1. Start Date: May 1, 2022
2. Activities:
 - fine grade pond area
 - install outlet control structure, storm pipe, spillway, and flow diffuser
3. E & S Control Inspections:
 - minimum once per week
 - inspect silt fencing, swales, access roads, dust conditions and unprotected slopes
4. Maintenance Actions:
 - repair E & S Controls as required

Stage 5 Site Restoration

1. Start Date: May 21, 2022
2. Activities:
 - perform final land grading on all unfinished areas
 - complete dry swale construction
 - perform soil restoration on all areas to be topsoiled and seeded
 - spread topsoil; immediately followed by seeding and mulching
 - monitor vegetative growth and localized erosion; re-topsoil, seed and mulch as required
3. E & S Control Inspections:
 - minimum once per week
 - inspect silt fencing, access roads, dust conditions and unprotected slopes
 - inspect all seeded areas to monitor growth (areas may require scarification, reseeding and re-mulching)

4. Maintenance Actions:

- repair E & S Controls as required
- immediately repair seeded areas to prevent accelerated soil erosion

Stage 6 Post Construction Measures

1. Start Date: June 1, 2022

2. Activities

- following site stabilization, remove silt fence

3. E & S Control Inspections: none required following control device removal

4. Maintenance Actions:

- repair E & S Controls as required prior to removal

Part VII Signatory Requirements

This construction Storm Water Pollution Prevention Plan was prepared by Thornton Engineering LLP for Frontenac Holding, LLC. The SWPPP will be implemented by:

Name	<u>Bernard Degraw</u>
Company Name	<u>Frontenac Holding, LLC</u>
Company Address	<u>21 Basin Street</u>
	<u>Union Springs, New York 13160</u>
Telephone	<u>315-283-3008</u>

Preparer's Certification

"I certify that this Storm Water Pollution Prevention Plan has been developed in a manner that will assure compliance with water quality standards and with the substantive intent of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-20-001."

Engineer	<u>Glenn F. Thornton, P.E.</u>	
	Thornton Engineering LLP	Date

Contractor's Certification

"I hereby certify that I understand and agree to comply with the terms and conditions of this Storm Water Pollution Prevention Plan 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 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."

Company Name	<u></u>	<u></u>
		Signature
Company Address	<u></u>	<u></u>
	<u></u>	Name (printed)
	<u></u>	
Telephone Number	<u></u>	<u></u>
		Date

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Company Name_____

Signature

Company Address_____

Name (printed)

Telephone Number_____

Date

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"I hereby certify that I understand and agree to comply with the terms and conditions of this Storm Water Pollution Prevention Plan 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 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."

Company Name_____

Signature

Company Address_____

Name (printed)

Telephone Number_____

Date

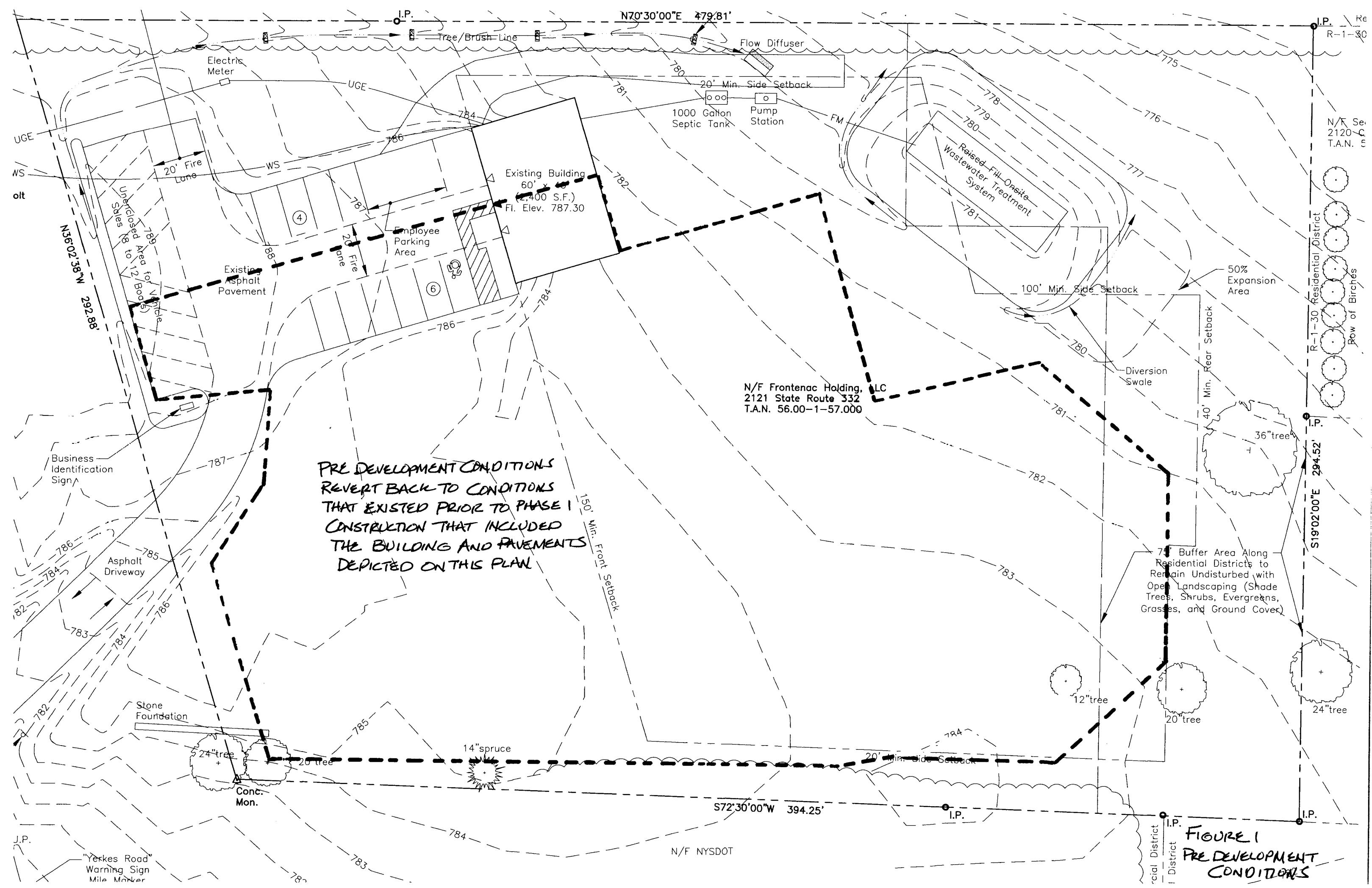
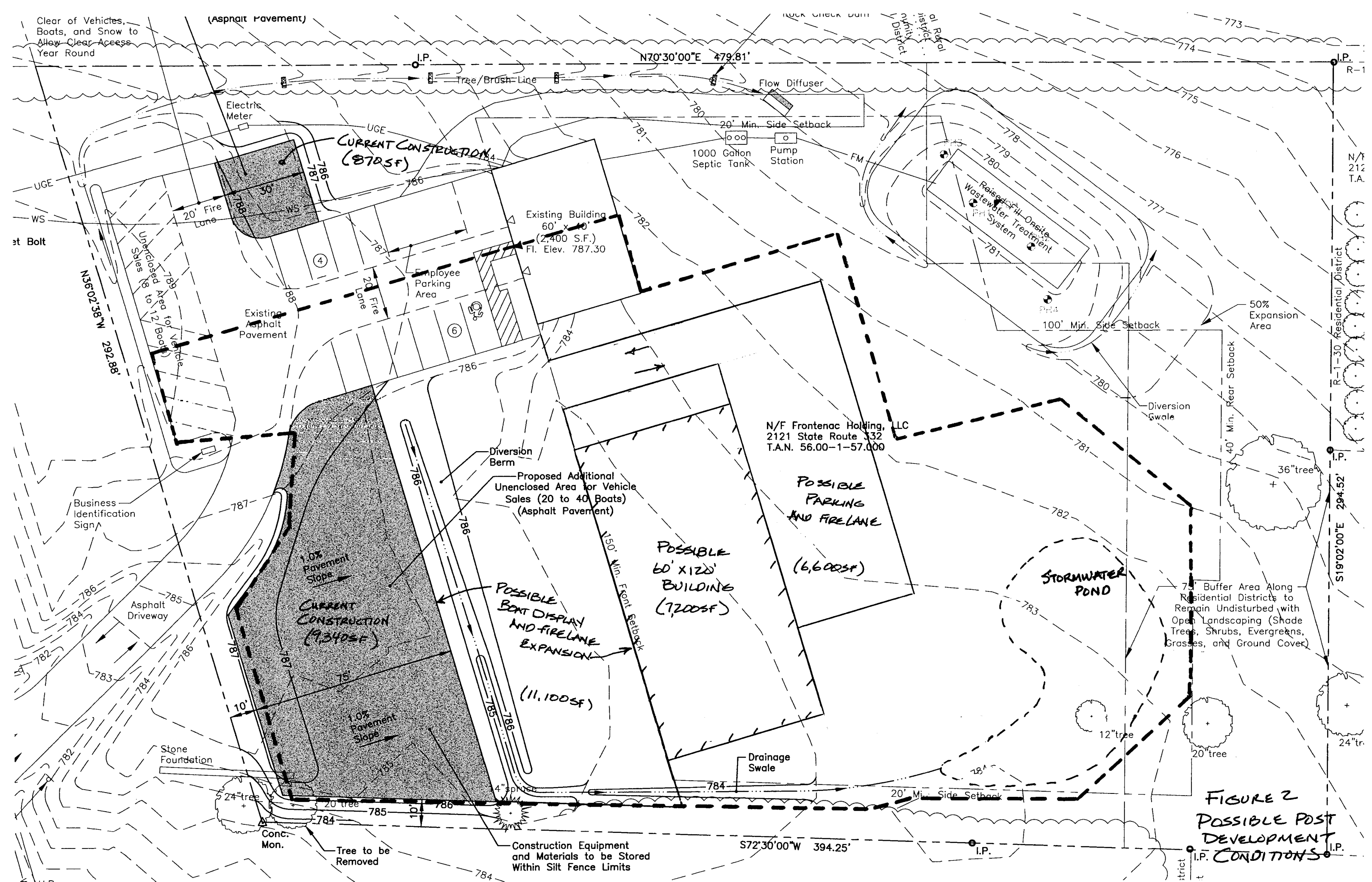


FIGURE 1
PRE-DEVELOPMENT
CONDITIONS



Appendix A

Erosion and Sedimentation Control Practices

STANDARD AND SPECIFICATIONS FOR STABILIZED CONSTRUCTION ACCESS



Definition & Scope

A stabilized pad of aggregate underlain with geotextile located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, sidewalk, or parking area. The purpose of stabilized construction access is to reduce or eliminate the tracking of sediment onto public rights-of-way or streets.

Conditions Where Practice Applies

A stabilized construction access shall be used at all points of construction ingress and egress.

Design Criteria

See Figure 2.1 on page 2.31 for details.

Aggregate Size: Use a matrix of 1-4 inch stone, or reclaimed or recycled concrete equivalent.

Thickness: Not less than six (6) inches.

Width: 12-foot minimum but not less than the full width of points where ingress or egress occurs. 24-foot minimum if there is only one access to the site.

Length: As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum would apply).

Geotextile: To be placed over the entire area to be covered with aggregate. Filter cloth will not be required on a single-family residence lot. Piping of surface water under entrance shall be provided as required. If piping is impossible, a mountable berm with 5:1 slopes will be permitted.

Criteria for Geotextile: The geotextile shall be woven or nonwoven fabric consisting only of continuous chain polymeric filaments or yarns of polyester. The fabric shall be

inert to commonly encountered chemicals, hydro-carbons, mildew, rot resistant, and conform to the fabric properties as shown:

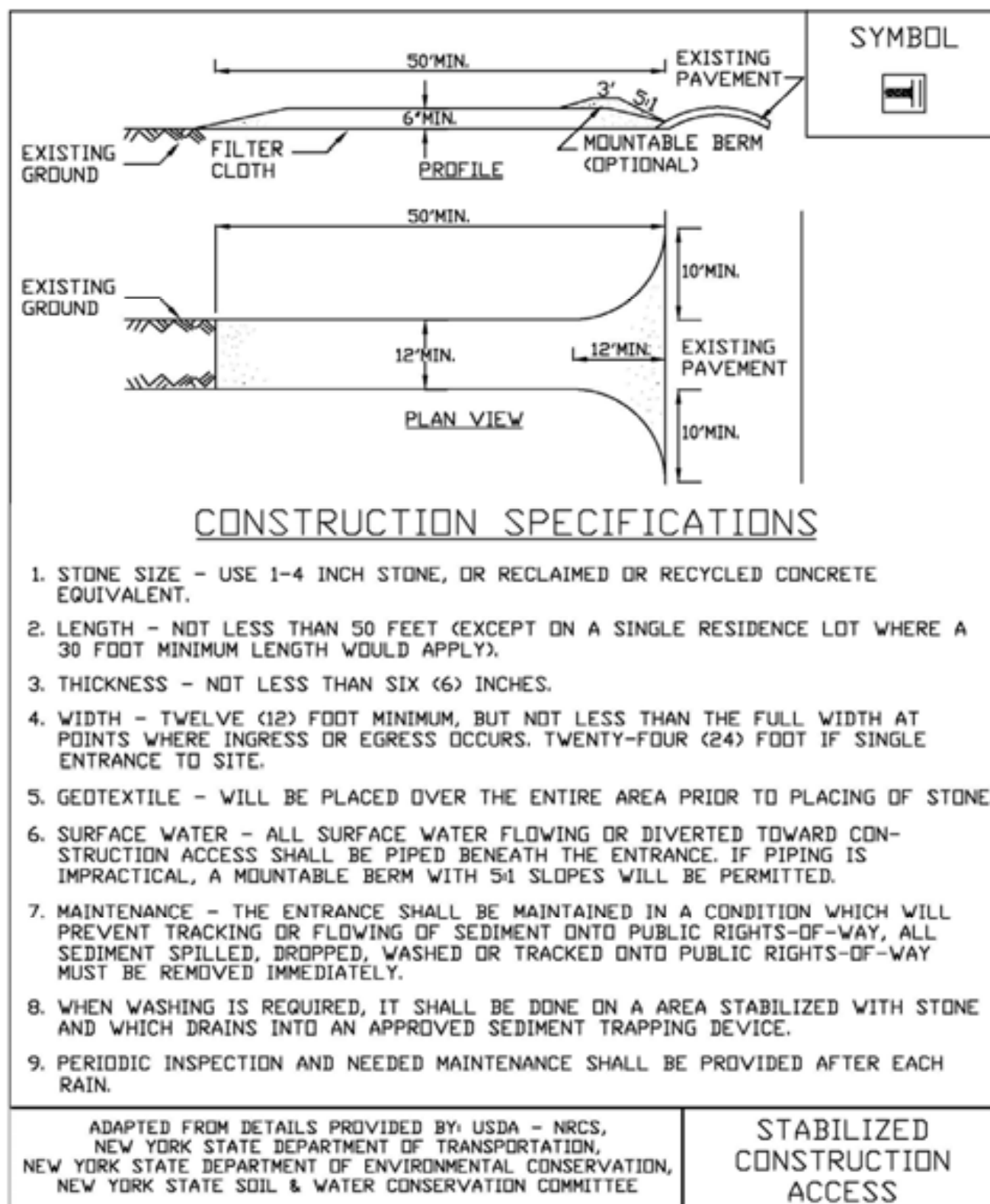
Fabric Properties ³	Light Duty ¹ Roads Grade Sub-grade	Heavy Duty ² Haul Roads Rough Graded	Test Method
Grab Tensile Strength (lbs)	200	220	ASTM D1682
Elongation at Failure (%)	50	60	ASTM D1682
Mullen Burst Strength (lbs)	190	430	ASTM D3786
Puncture Strength (lbs)	40	125	ASTM D751 Modified
Equivalent	40-80	40-80	US Std Sieve
Opening Size			CW-02215
Aggregate Depth	6	10	-
¹ Light Duty Road: Area sites that have been graded to subgrade and where most travel would be single axle vehicles and an occasional multi-axle truck. Acceptable materials are Trevira Spunbond 1115, Mirafi 100X, Typar 3401, or equivalent. ² Heavy Duty Road: Area sites with only rough grading, and where most travel would be multi-axle vehicles. Acceptable materials are Trevira Spunbond 1135, Mirafi 600X, or equivalent. ³ Fabrics not meeting these specifications may be used only when design procedure and supporting documentation are supplied to determine aggregate depth and fabric strength.			

Maintenance

The access shall be maintained in a condition which will prevent tracking of sediment onto public rights-of-way or streets. This may require periodic top dressing with additional aggregate. All sediment spilled, dropped, or washed onto public rights-of-way must be removed immediately.

When necessary, wheels must be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device. All sediment shall be prevented from entering storm drains, ditches, or watercourses.

Figure 2.1
Stabilized Construction Access



STANDARD AND SPECIFICATIONS FOR LANDGRADING



Definition & Scope

Permanent reshaping of the existing land surface by grading in accordance with an engineering topographic plan and specification to provide for erosion control and vegetative establishment on disturbed, reshaped areas.

Design Criteria

The grading plan should be based upon the incorporation of building designs and street layouts that fit and utilize existing topography and desirable natural surrounding to avoid extreme grade modifications. Information submitted must provide sufficient topographic surveys and soil investigations to determine limitations that must be imposed on the grading operation related to slope stability, effect on adjacent properties and drainage patterns, measures for drainage and water removal, and vegetative treatment, etc.

Many municipalities and counties have regulations and design procedures already established for land grading and cut and fill slopes. Where these requirements exist, they shall be followed.

The plan must show existing and proposed contours of the area(s) to be graded. The plan shall also include practices for erosion control, slope stabilization, safe disposal of runoff water and drainage, such as waterways, lined ditches, reverse slope benches (include grade and cross section), grade stabilization structures, retaining walls, and surface and subsurface drains. The plan shall also include phasing of these practices. The following shall be incorporated into the plan:

1. Provisions shall be made to safely convey surface runoff to storm drains, protected outlets, or to stable water courses to ensure that surface runoff will not

damage slopes or other graded areas; see standards and specifications for Grassed Waterway, Diversion, or Grade Stabilization Structure.

2. Cut and fill slopes that are to be stabilized with grasses shall not be steeper than 2:1. When slopes exceed 2:1, special design and stabilization consideration are required and shall be adequately shown on the plans. (Note: Where the slope is to be mowed, the slope should be no steeper than 3:1, although 4:1 is preferred because of safety factors related to mowing steep slopes.)
3. Reverse slope benches or diversion shall be provided whenever the vertical interval (height) of any 2:1 slope exceeds 20 feet; for 3:1 slope it shall be increased to 30 feet and for 4:1 to 40 feet. Benches shall be located to divide the slope face as equally as possible and shall convey the water to a stable outlet. Soils, seeps, rock outcrops, etc., shall also be taken into consideration when designing benches.
 - A. Benches shall be a minimum of six feet wide to provide for ease of maintenance.
 - B. Benches shall be designed with a reverse slope of 6:1 or flatter to the toe of the upper slope and with a minimum of one foot in depth. Bench gradient to the outlet shall be between 2 percent and 3 percent, unless accompanied by appropriate design and computations.
 - C. The flow length within a bench shall not exceed 800 feet unless accompanied by appropriate design and computations; see Standard and Specifications for Diversion on page 3.9
4. Surface water shall be diverted from the face of all cut and/or fill slopes by the use of diversions, ditches and swales or conveyed downslope by the use of a designed structure, except where:
 - A. The face of the slope is or shall be stabilized and the face of all graded slopes shall be protected from surface runoff until they are stabilized.
 - B. The face of the slope shall not be subject to any concentrated flows of surface water such as from natural drainage ways, graded ditches, downspouts, etc.
 - C. The face of the slope will be protected by anchored stabilization matting, sod, gravel, riprap, or other stabilization method.

5. Cut slopes occurring in ripable rock shall be serrated as shown in Figure 4.9 on page 4.26. The serrations shall be made with conventional equipment as the excavation is made. Each step or serration shall be constructed on the contour and will have steps cut at nominal two-foot intervals with nominal three-foot horizontal shelves. These steps will vary depending on the slope ratio or the cut slope. The nominal slope line is 1 ½: 1. These steps will weather and act to hold moisture, lime, fertilizer, and seed thus producing a much quicker and longer-lived vegetative cover and better slope stabilization. Overland flow shall be diverted from the top of all serrated cut slopes and carried to a suitable outlet.
6. Subsurface drainage shall be provided where necessary to intercept seepage that would otherwise adversely affect slope stability or create excessively wet site conditions.
7. Slopes shall not be created so close to property lines as to endanger adjoining properties without adequately protecting such properties against sedimentation, erosion, slippage, settlement, subsidence, or other related damages.
8. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. It should be free of stones over two (2) inches in diameter where compacted by hand or mechanical tampers or over eight (8) inches in diameter where compacted by rollers or other equipment. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.
9. Stockpiles, borrow areas, and spoil shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.
10. All disturbed areas shall be stabilized structurally or vegetatively in compliance with the Permanent Construction Area Planting Standard on page 4.42.
4. Areas to be filled shall be cleared, grubbed, and stripped of topsoil to remove trees, vegetation, roots, or other objectionable material.
5. Areas that are to be topsoiled shall be scarified to a minimum depth of four inches prior to placement of topsoil.
6. All fills shall be compacted as required to reduce erosion, slippage, settlement, subsidence, or other related problems. Fill intended to support buildings, structures, and conduits, etc., shall be compacted in accordance with local requirements or codes.
7. All fill shall be placed and compacted in layers not to exceed 9 inches in thickness.
8. Except for approved landfills or nonstructural fills, fill material shall be free of frozen particles, brush, roots, sod, or other foreign objectionable materials that would interfere with, or prevent, construction of satisfactory fills.
9. Frozen material or soft, mucky or highly compressible materials shall not be incorporated into fill slopes or structural fills.
10. Fill shall not be placed on saturated or frozen surfaces.
11. All benches shall be kept free of sediment during all phases of development.
12. Seeps or springs encountered during construction shall be handled in accordance with the Standard and Specification for Subsurface Drain on page 3.48 or other approved methods.
13. All graded areas shall be permanently stabilized immediately following finished grading.
14. Stockpiles, borrow areas, and spoil areas shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

Construction Specifications

See Figures 4.9 and 4.10 for details.

1. All graded or disturbed areas, including slopes, shall be protected during clearing and construction in accordance with the erosion and sediment control plan until they are adequately stabilized.
2. All erosion and sediment control practices and measures shall be constructed, applied and maintained in accordance with the erosion and sediment control plan and these standards.
3. Topsoil required for the establishment of vegetation shall be stockpiled in amount necessary to complete finished grading of all exposed areas.



Figure 4.10
Landgrading

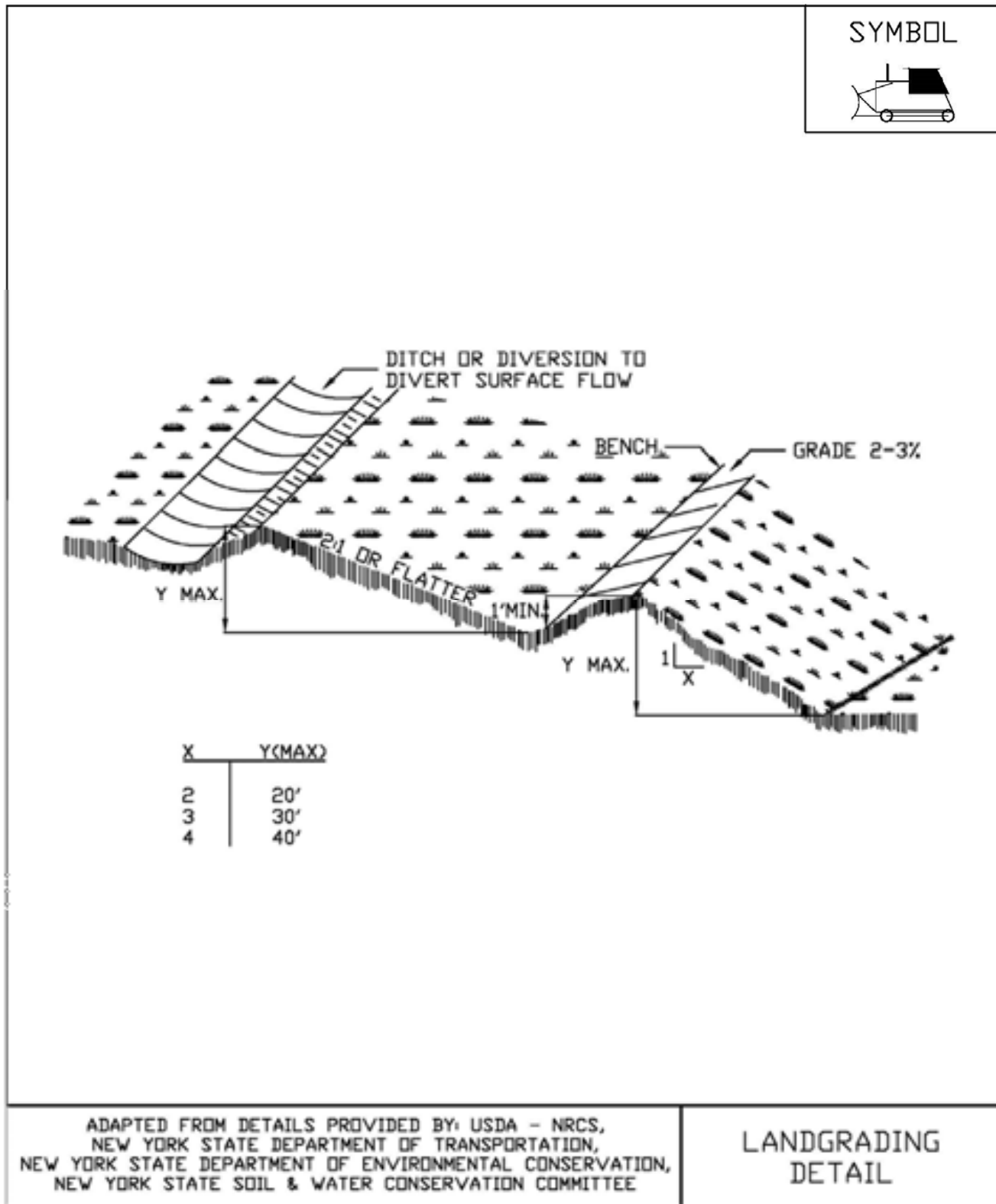


Figure 4.11
Landgrading - Construction Specifications

<u>CONSTRUCTION SPECIFICATIONS</u>	
<ol style="list-style-type: none"> 1. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE PERMANENTLY STABILIZED. 2. ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN. 3. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNT NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS. 4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL. 5. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF FOUR INCHES PRIOR TO PLACEMENT OF TOPSOIL. 6. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES. 7. ALL FILL SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS. 8. EXCEPT FOR APPROVED LANDFILLS, FILL MATERIAL SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS. 9. FROZEN MATERIALS OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED IN FILLS. 10. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES. 11. ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT. 12. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD. 13. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING. 14. STOCKPILES, BORROW AREAS AND SPOIL AREAS SHALL BE SHOWN ON THE PLANS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS STANDARD AND SPECIFICATION. 	
ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS, NEW YORK STATE DEPARTMENT OF TRANSPORTATION, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE	LANDGRADING SPECIFICATIONS

STANDARD AND SPECIFICATIONS FOR SILT FENCE



Definition & Scope

A **temporary** barrier of geotextile fabric installed on the contours across a slope used to intercept sediment laden runoff from small drainage areas of disturbed soil by temporarily ponding the sediment laden runoff allowing settling to occur. The maximum period of use is limited by the ultraviolet stability of the fabric (approximately one year).

Conditions Where Practice Applies

A silt fence may be used subject to the following conditions:

1. Maximum allowable slope length and fence length will not exceed the limits shown in the Design Criteria for the specific type of silt fence used ; and
2. Maximum ponding depth of 1.5 feet behind the fence; and
3. Erosion would occur in the form of sheet erosion; and
4. There is no concentration of water flowing to the barrier; and
5. Soil conditions allow for proper keying of fabric, or other anchorage, to prevent blowouts.

Design Criteria

1. Design computations are not required for installations of 1 month or less. Longer installation periods should be designed for expected runoff.
2. All silt fences shall be placed as close to the disturbed area as possible, but at least 10 feet from the toe of a slope steeper than 3H:1V, to allow for maintenance and

roll down. The area beyond the fence must be undisturbed or stabilized.

3. The type of silt fence specified for each location on the plan shall not exceed the maximum slope length and maximum fence length requirements shown in the following table:

Slope	Steepness	Slope Length/Fence Length (ft.)		
		Standard	Reinforced	Super
<2%	< 50:1	300/1500	N/A	N/A
2-10%	50:1 to 10:1	125/1000	250/2000	300/2500
10-20%	10:1 to 5:1	100/750	150/1000	200/1000
20-33%	5:1 to 3:1	60/500	80/750	100/1000
33-50%	3:1 to 2:1	40/250	70/350	100/500
>50%	> 2:1	20/125	30/175	50/250

Standard Silt Fence (SF) is fabric rolls stapled to wooden stakes driven 16 inches in the ground.

Reinforced Silt Fence (RSF) is fabric placed against welded wire fabric with anchored steel posts driven 16 inches in the ground.

Super Silt Fence (SSF) is fabric placed against chain link fence as support backing with posts driven 3 feet in the ground.

4. Silt fence shall be removed as soon as the disturbed area has achieved final stabilization.

The silt fence shall be installed in accordance with the appropriate details. Where ends of filter cloth come together, they shall be overlapped, folded and stapled to prevent sediment bypass. Butt joints are not acceptable. A detail of the silt fence shall be shown on the plan. See Figure 5.30 on page 5.56 for Reinforced Silt Fence as an example of details to be provided.

Criteria for Silt Fence Materials

1. Silt Fence Fabric: The fabric shall meet the following specifications unless otherwise approved by the appropriate erosion and sediment control plan approval authority. Such approval shall not constitute statewide acceptance.

Fabric Properties	Minimum Acceptable Value	Test Method
Grab Tensile Strength (lbs)	110	ASTM D 4632
Elongation at Failure (%)	20	ASTM D 4632
Mullen Burst Strength (PSI)	300	ASTM D 3786
Puncture Strength (lbs)	60	ASTM D 4833
Minimum Trapezoidal Tear Strength (lbs)	50	ASTM D 4533
Flow Through Rate (gal/min/sf)	25	ASTM D 4491
Equivalent Opening Size	40-80	US Std Sieve ASTM D 4751
Minimum UV Residual (%)	70	ASTM D 4355

Super Silt Fence

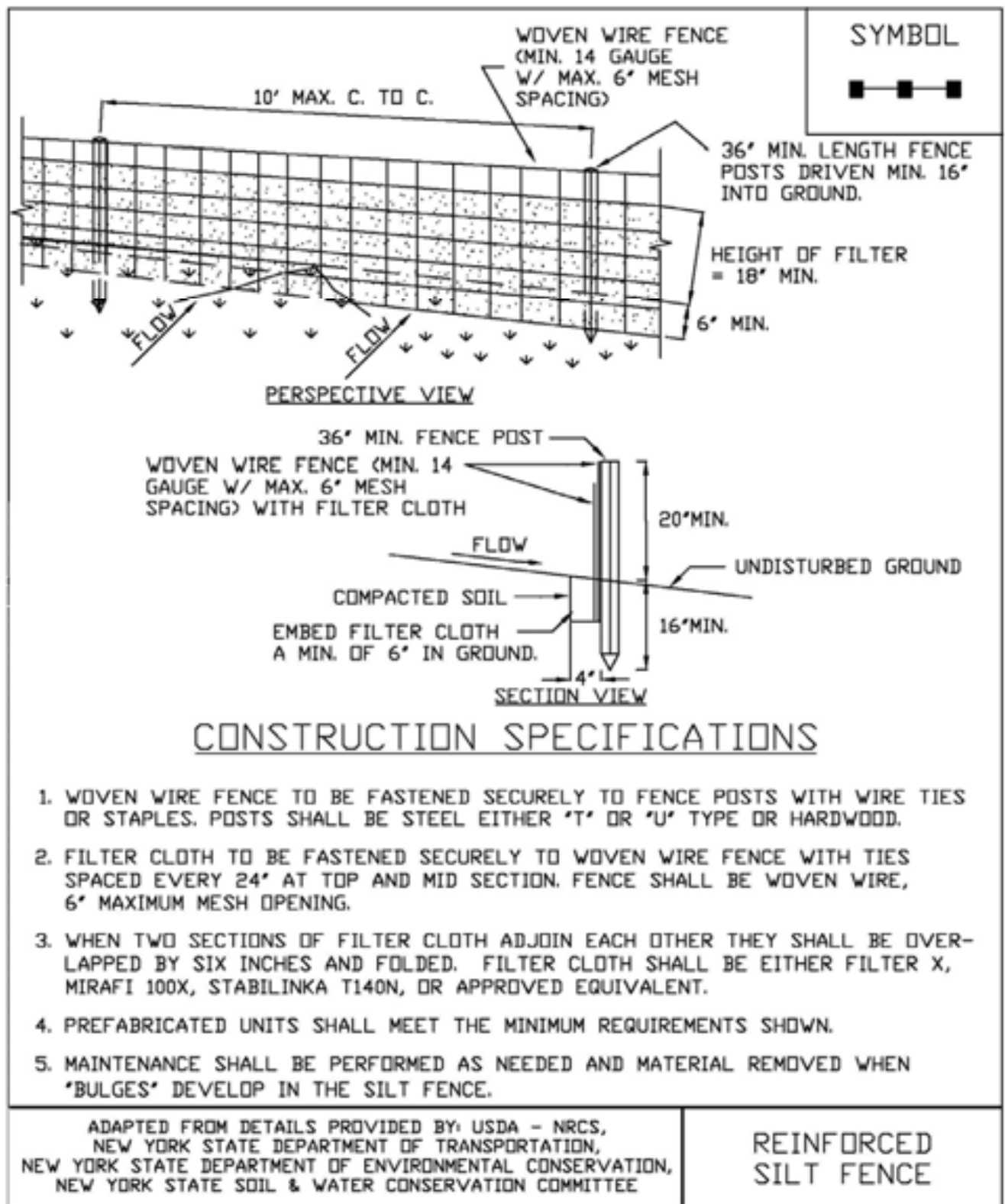


2. Fence Posts (for fabricated units): The length shall be a minimum of 36 inches long. Wood posts will be of sound quality hardwood with a minimum cross sectional area of 3.5 square inches. Steel posts will be standard T and U section weighing not less than 1.00 pound per linear foot. Posts for super silt fence shall be standard chain link fence posts.
3. Wire Fence for reinforced silt fence: Wire fencing shall be a minimum 14 gage with a maximum 6 in. mesh opening, or as approved.
4. Prefabricated silt fence is acceptable as long as all material specifications are met.

Reinforced Silt Fence



Figure 5.30
Reinforced Silt Fence



STANDARD AND SPECIFICATIONS FOR TOPSOILING



Definition & Scope

Spreading a specified quality and quantity of topsoil materials on graded or constructed subsoil areas to provide acceptable plant cover growing conditions, thereby reducing erosion; to reduce irrigation water needs; and to reduce the need for nitrogen fertilizer application.

Conditions Where Practice Applies

Topsoil is applied to subsoils that are droughty (low available moisture for plants), stony, slowly permeable, salty or extremely acid. It is also used to backfill around shrub and tree transplants. This standard does not apply to wetland soils.

Design Criteria

1. Preserve existing topsoil in place where possible, thereby reducing the need for added topsoil.
2. Conserve by stockpiling topsoil and friable fine textured subsoils that must be stripped from the excavated site and applied after final grading where vegetation will be established. Topsoil stockpiles must be stabilized. Stockpile surfaces can be stabilized by vegetation, geotextile or plastic covers. This can be aided by orientating the stockpile lengthwise into prevailing winds.
3. Refer to USDA Natural Resource Conservation Service soil surveys or soil interpretation record sheets for further soil texture information for selecting appropriate design topsoil depths.

Site Preparation

1. As needed, install erosion and sediment control practices such as diversions, channels, sediment traps, and stabilizing measures, or maintain if already installed.
2. Complete rough grading and final grade, allowing for depth of topsoil to be added.
3. Scarify all compact, slowly permeable, medium and fine textured subsoil areas. Scarify at approximately right angles to the slope direction in soil areas that are steeper than 5 percent. Areas that have been overly compacted shall be decompacted in accordance with the Soil Restoration Standard.
4. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.

Topsoil Materials

1. Topsoil shall have at least 6 percent by weight of fine textured stable organic material, and no greater than 20 percent. Muck soil shall not be considered topsoil.
2. Topsoil shall have not less than 20 percent fine textured material (passing the NO. 200 sieve) and not more than 15 percent clay.
3. Topsoil treated with soil sterilants or herbicides shall be so identified to the purchaser.
4. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter, trash, noxious weeds such as nut sedge and quackgrass, and will have less than 10 percent gravel.
5. Topsoil containing soluble salts greater than 500 parts per million shall not be used.
6. Topsoil may be manufactured as a mixture of a mineral component and organic material such as compost.

Application and Grading

1. Topsoil shall be distributed to a uniform depth over the area. It shall not be placed when it is partly frozen, muddy, or on frozen slopes or over ice, snow, or standing water puddles.
2. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched, and stabilized by "tracking" with suitable equipment.
3. Apply topsoil in the amounts shown in Table 4.7 below:

Table 4.7 - Topsoil Application Depth		
Site Conditions	Intended Use	Minimum Topsoil Depth
1. Deep sand or loamy sand	Mowed lawn	6 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	1 in.
2. Deep sandy loam	Mowed lawn	5 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	none
3. Six inches or more: silt loam, clay loam, loam, or silt	Mowed lawn	4 in.
	Tall legumes, unmowed	1 in.
	Tall grass, unmowed	1 in.

STANDARD AND SPECIFICATIONS FOR MULCHING



Remove all undesirable stones and other debris to meet the needs of the anticipated land use and maintenance required.

Apply mulch after soil amendments and planting is accomplished or simultaneously if hydroseeding is used.

Select appropriate mulch material and application rate or material needs. Hay mulch shall not be used in wetlands or in areas of permanent seeding. Clean straw mulch is preferred alternative in wetland application. Determine local availability.

Select appropriate mulch anchoring material.

NOTE: The best combination for grass/legume establishment is straw (cereal grain) mulch applied at 2 ton/acre (90 lbs./1000sq.ft.) and anchored with wood fiber mulch (hydromulch) at 500 – 750 lbs./acre (11 – 17 lbs./1000 sq. ft.). The wood fiber mulch must be applied through a hydroseeder immediately after mulching.

Definition and Scope

Applying coarse plant residue or chips, or other suitable materials, to cover the soil surface to provide initial erosion control while a seeding or shrub planting is establishing. Mulch will conserve moisture and modify the surface soil temperature and reduce fluctuation of both. Mulch will prevent soil surface crusting and aid in weed control. Mulch can also be used alone for temporary stabilization in non-growing months. Use of stone as a mulch could be more permanent and should not be limited to non-growing months.

Conditions Where Practice Applies

On soils subject to erosion and on new seedlings and shrub plantings. Mulch is useful on soils with low infiltration rates by retarding runoff.

Criteria

Site preparation prior to mulching requires the installation of necessary erosion control or water management practices and drainage systems.

Slope, grade and smooth the site to fit needs of selected mulch products.



Table 4.2
Guide to Mulch Materials, Rates, and Uses

Mulch Material	Quality Standards	per 1000 Sq. Ft.	per Acre	Depth of Application	Remarks
Wood chips or shavings	Air-dried. Free of objectionable coarse material	500-900 lbs.	10-20 tons	2-7"	Used primarily around shrub and tree plantings and recreation trails to inhibit weed competition. Resistant to wind blowing. Decomposes slowly.
Wood fiber cellulose (partly digested wood fibers)	Made from natural wood usually with green dye and dispersing agent	50 lbs.	2,000 lbs.	—	Apply with hydromulcher. No tie down required. Less erosion control provided than 2 tons of hay or straw.
Gravel, Crushed Stone or Slag	Washed; Size 2B or 3A—1 1/2"	9 cu. yds.	405 cu. yds.	3"	Excellent mulch for short slopes and around plants and ornamentals. Use 2B where subject to traffic. (Approximately 2,000 lbs./cu. yd.). Frequently used over filter fabric for better weed control.
Hay or Straw	Air-dried; free of undesirable seeds & coarse materials	90-100 lbs. 2-3 bales	2 tons (100-120 bales)	cover about 90% surface	Use small grain straw where mulch is maintained for more than three months. Subject to wind blowing unless anchored. Most commonly used mulching material. Provides the best micro-environment for germinating seeds.
Jute twisted yarn	Undyed, unbleached plain weave. Warp 78 ends/yd., Weft 41 ends/yd. 60-90 lbs./roll	48" x 50 yds. or 48" x 75 yds.	—	—	Use without additional mulch. Tie down as per manufacturers specifications. Good for center line of concentrated water flow.
Excelsior wood fiber mats	Interlocking web of excelsior fibers with photodegradable plastic netting	4' x 112.5' or 8' x 112.5'.	—	—	Use without additional mulch. Excellent for seeding establishment. Anchor as per manufacturers specifications. Approximately 72 lbs./roll for excelsior with plastic on both sides. Use two sided plastic for centerline of waterways.
Straw or coconut fiber, or combination	Photodegradable plastic net on one or two sides	Most are 6.5 ft. x 3.5 ft.	81 rolls	—	Designed to tolerate higher velocity water flow, centerlines of waterways, 60 sq. yds. per roll.

Table 4.3
Mulch Anchoring Guide

Anchoring Method or Material	Kind of Mulch to be Anchored	How to Apply
1. Peg and Twine	Hay or straw	After mulching, divide areas into blocks approximately 1 sq. yd. in size. Drive 4-6 pegs per block to within 2" to 3" of soil surface. Secure mulch to surface by stretching twine between pegs in criss-cross pattern on each block. Secure twine around each peg with 2 or more tight turns. Drive pegs flush with soil. Driving stakes into ground tightens the twine.
2. Mulch netting	Hay or straw	Staple the light-weight paper, jute, wood fiber, or plastic nettings to soil surface according to manufacturer's recommendations. Should be biodegradable. Most products are not suitable for foot traffic.
3. Wood cellulose fiber	Hay or straw	Apply with hydroseeder immediately after mulching. Use 500 lbs. wood fiber per acre. Some products contain an adhesive material ("tackifier"), possibly advantageous.
4. Mulch anchoring tool	Hay or straw	Apply mulch and pull a mulch anchoring tool (blunt, straight discs) over mulch as near to the contour as possible. Mulch material should be "tucked" into soil surface about 3".
5. Tackifier	Hay or straw	Mix and apply polymeric and gum tackifiers according to manufacturer's instructions. Avoid application during rain. A 24-hour curing period and a soil temperature higher than 45 ⁰ Fahrenheit are required.

STANDARD AND SPECIFICATIONS FOR DUST CONTROL



dust control (see Section 3).

Mulch (including gravel mulch) – Mulch offers a fast effective means of controlling dust. This can also include rolled erosion control blankets.

Spray adhesives – These are products generally composed of polymers in a liquid or solid form that are mixed with water to form an emulsion that is sprayed on the soil surface with typical hydroseeding equipment. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations for the specific soils on the site. In no case should the application of these adhesives be made on wet soils or if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators and others working with the material.

Definition & Scope

The control of dust resulting from land-disturbing activities, to prevent surface and air movement of dust from disturbed soil surfaces that may cause off-site damage, health hazards, and traffic safety problems.

Conditions Where Practice Applies

On construction roads, access points, and other disturbed areas subject to surface dust movement and dust blowing where off-site damage may occur if dust is not controlled.

Design Criteria

Construction operations should be scheduled to minimize the amount of area disturbed at one time. Buffer areas of vegetation should be left where practical. Temporary or permanent stabilization measures shall be installed. No specific design criteria is given; see construction specifications below for common methods of dust control.

Water quality must be considered when materials are selected for dust control. Where there is a potential for the material to wash off to a stream, ingredient information must be provided to the NYSDEC.

No polymer application shall take place without written approval from the NYSDEC.

Construction Specifications

A. Non-driving Areas – These areas use products and materials applied or placed on soil surfaces to prevent airborne migration of soil particles.

Vegetative Cover – For disturbed areas not subject to traffic, vegetation provides the most practical method of

B. Driving Areas – These areas utilize water, polymer emulsions, and barriers to prevent dust movement from the traffic surface into the air.

Sprinkling – The site may be sprayed with water until the surface is wet. This is especially effective on haul roads and access route to provide short term limited dust control.

Polymer Additives – These polymers are mixed with water and applied to the driving surface by a water truck with a gravity feed drip bar, spray bar or automated distributor truck. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations. Incorporation of the emulsion into the soil will be done to the appropriate depth based on expected traffic. Compaction after incorporation will be by vibratory roller to a minimum of 95%. The prepared surface shall be moist and no application of the polymer will be made if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators working with the material.

Barriers – Woven geo-textiles can be placed on the driving surface to effectively reduce dust throw and particle migration on haul roads. Stone can also be used for construction roads for effective dust control.

Windbreak – A silt fence or similar barrier can control air currents at intervals equal to ten times the barrier height. Preserve existing wind barrier vegetation as much as practical.

Maintenance

Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.

STANDARD AND SPECIFICATIONS FOR CHECK DAM



Definition & Scope

Small barriers or dams constructed of stone, bagged sand or gravel, or other durable materials across a drainageway to reduce erosion in a drainage channel by reducing the velocity of flow in the channel.

Conditions Where Practice Applies

This practice is used as a **temporary** and, in some cases, a **permanent** measure to limit erosion by reducing velocities in open channels that are degrading or subject to erosion or where permanent stabilization is impractical due to short period of usefulness and time constraints of construction.

Design Criteria

Drainage Area: Maximum drainage area above the check dam shall not exceed two (2) acres.

Height: Not greater than 2 feet. Center shall be maintained 9 inches lower than abutments at natural ground elevation.

Side Slopes: Shall be 2:1 or flatter.

Spacing: The check dams shall be spaced as necessary in the channel so that the crest of the downstream dam is at the elevation of the toe of the upstream dam. This spacing is equal to the height of the check dam divided by the channel slope.

Therefore:

$$S = \frac{h}{s}$$

Where:

S = spacing interval (ft.)
h = height of check dam (ft.)
s = channel slope (ft./ft.)

Example:

For a channel with
and 2 ft. high stone
they are spaced as

$$S = \frac{2 \text{ ft}}{0.04 \frac{\text{ft}}{\text{ft}}} = 50 \text{ ft}$$

a 4% slope
check dams,
follows:

For stone check dams: Use a well graded stone matrix 2 to 9 inches in size (NYS – DOT Light Stone Fill meets these requirements).

The overflow of the check dams will be stabilized to resist erosion that might be caused by the check dam. See Figure 3.1 on page 3.3 for details.

Check dams should be anchored in the channel by a cutoff trench 1.5 ft. wide and 0.5 ft. deep and lined with filter fabric to prevent soil migration.

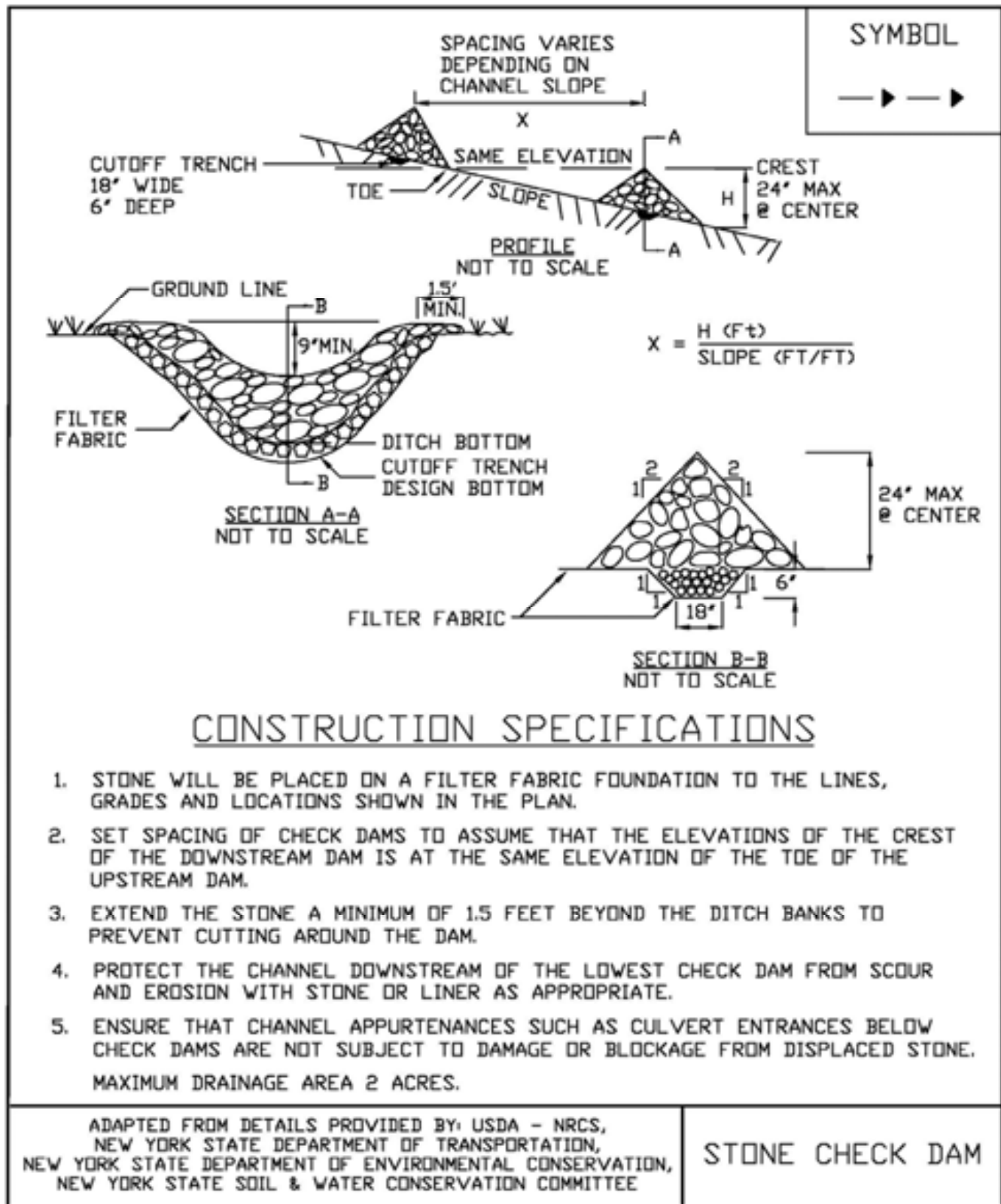
For filter sock or fiber roll check dams: The check dams will be anchored by staking the dam to the earth contact surface. The dam will extend to the top of the bank. The check dam will have a splash apron of NYS DOT #2 crushed stone extending a minimum 3 feet downstream from the dam and 1 foot up the sides of the channel. The compost and materials for a filter sock check dam shall meet the requirements shown in the standard for Compost Filter Sock on page 5.7.

Maintenance

The check dams should be inspected after each runoff event. Correct all damage immediately. If significant erosion has occurred between structures, a liner of stone or other suitable material should be installed in that portion of the channel or additional check dams added.

Remove sediment accumulated behind the dam as needed to allow channel to drain through the stone check dam and prevent large flows from carrying sediment over the dam.

Figure 3.1
Stone Check Dam Detail



STANDARD AND SPECIFICATIONS FOR FLOW DIFFUSER



Definition & Scope

A permanent non-erosive outlet for concentrated runoff constructed to diffuse flow uniformly through a stone matrix onto a stabilized area in the form of shallow, low velocity, sheet flow.

Conditions Where Practice Applies

Where sediment-free stormwater runoff can be released in low velocity sheet flow down stabilized areas without causing erosion; where the ground slope at the outlet of the diffuser is less than 30% and the runoff will not re-concentrate after release; and where construction of a flow spreader is not practicable.

Design Criteria

1. **Drainage area:** The maximum drainage area to the diffuser may not exceed 0.10 acre per foot length of the flow diffuser. The drainage area served by the diffuser discharging directly cannot be 10-20% more than half the size of the receiving buffer area.
2. **Discharge from diffuser onto receiving area:** The peak stormwater flow rate from a flow diffuser onto a receiving area from a 10-year 24-hour storm must be less than 0.25 cubic feet per second (0.25 cfs) per linear foot of weir crest length.
3. **Receiving area of buffer:** Each flow diffuser shall have a vegetated receiving area with a minimum continuous length of 150 feet and the capacity to pass the flow without erosion. The receiving area shall be stable prior to the construction of the flow diffuser. The receiving area shall have topography regular enough to

prevent undue flow concentration before entering a stable watercourse but it shall have a slope that is less than 30%. If the receiving area is not presently stable, then the receiving area shall be stabilized prior to construction of the flow diffuser. The receiving area below the flow diffuser shall be protected from harm during construction. Sodding and/or turf reinforcement mat (TRM) in combination with vegetative measures shall stabilize disturbed areas. The receiving area shall not be used by the flow diffuser until stabilization has been accomplished. A temporary diversion may be necessary in this case.

4. **Cross-section:** The minimum stone diffuser cross-section shall be trapezoidal with a height of 1 foot above natural ground; top width equal to 2 foot and side slope equal to 1 horizontal to 1 vertical. The storage area behind the diffuser shall be excavated to a depth of 1 foot and overall width of storage area equal to 6 feet minimum.
5. **Sizing the diffuser:** The length of the stone diffuser is governed by the size of the stone in the structure, the height of the diffuser, and the flow length through it. The following equation is used to establish the design of the diffuser:

$$Q_d = \frac{h^{3/2} W}{\left[\left(\frac{L}{D}\right) + 2.5 + L^2\right]^{0.5}}$$

Where:

Q_d = Outflow through the stone diffuser (cfs)

h = Ponding depth behind the diffuser (ft.)

W = Linear length of the diffuser along centerline (ft.)

L = Average horizontal flow length through the diffuser perpendicular to the centerline (ft.)

D = Average stone diameter (d_{50}) in the structure (ft.)

The maximum d_{50} size shall be 9" or 0.75'.

The designer shall calculate the length of diffuser needed depending on the geometry of the cross-section and rock size to be used recognizing that the maximum allowable discharge through the diffuser shall be 0.25 cfs per foot of length.

Once the discharge is calculated for the 10 year storm for the drainage area to the diffuser (Q_{10}) it can be divided by the design discharge of the diffuser to determine the diffuser length as follows:

$$W = \frac{Q_{10}}{Q_d}$$

Where:

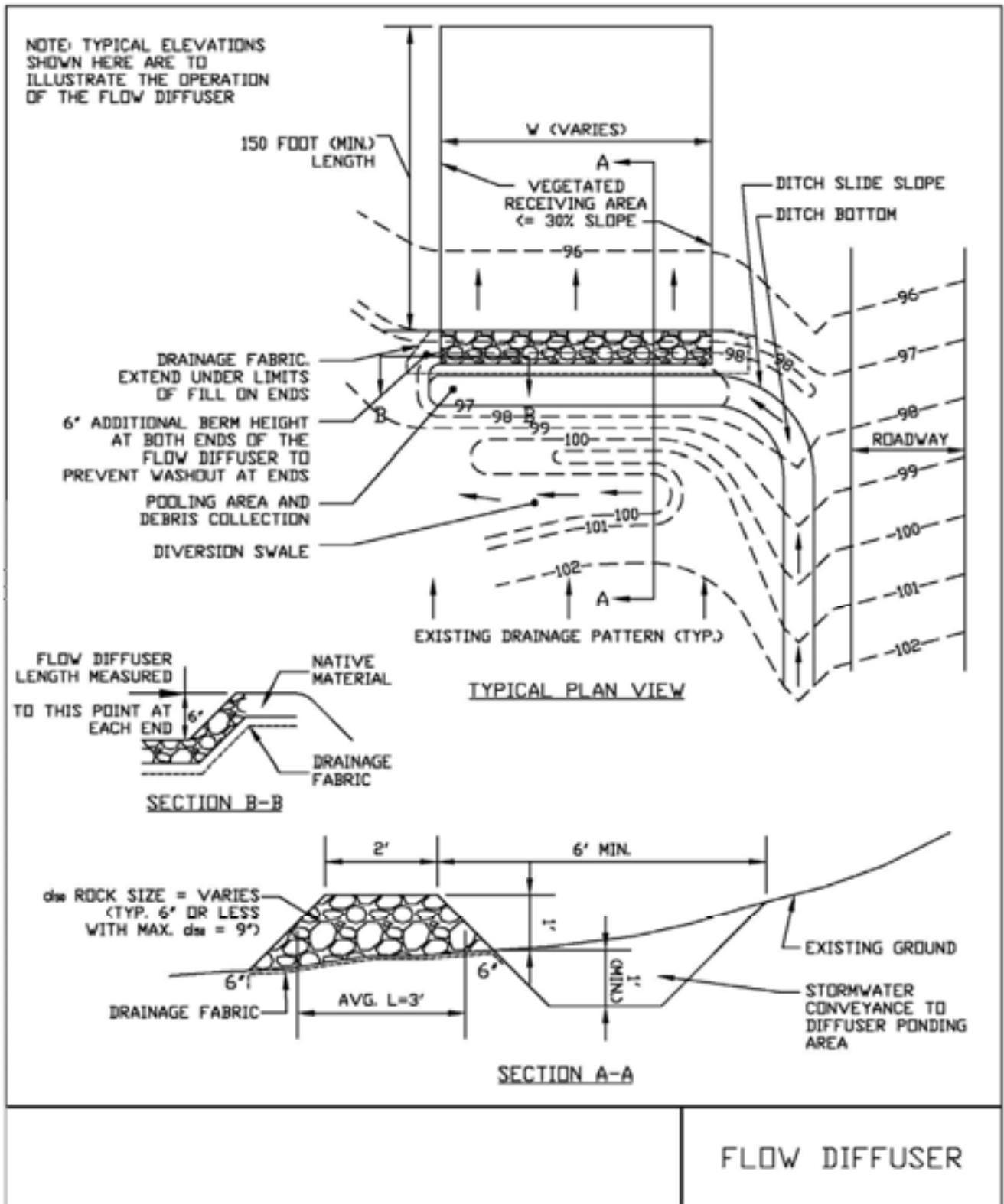
Q_d = Outflow through the stone diffuser (cfs/ft)

Q_{10} = Discharge rate for the 10 year storm (cfs)

W = Linear length of the diffuser along centerline (ft.)

Design examples are shown in Appendix B.

Figure 3.6
Flow Diffuser Detail



Appendix B

Water Quality and Water Quantity Calculations

CLIENT

FRONTENAC HOLDINGS

PROJECT

FLX MARINE

SUBJECT

SWPPP

MADE

CHK

REV

JOB NO.

SHEET NO. B-1

THORNTON
ENGINEERING LLP



A. THE EXISTING SITE HAS BEEN PARTIALLY DEVELOPED AND THIS SWPPP WILL APPLY TO ALL SITE AREAS THAT WILL BE DISTURBED BY PROPOSED CONSTRUCTION PLUS PORTIONS OF PREVIOUSLY DEVELOPED AREAS THAT CAN BE DRAINED TO A NEW STORMWATER MANAGEMENT FACILITY.


THE SWPPP AREA IS COMPRISED OF COLLAMER SILT LOAM (HSG.D IN ITS EXISTING UNDRAINED CONDITION)

B. DRAINAGE AREA CONTRIBUTORY TO THE NEW STORMWATER POND (DEPICTED ON FIGURES 1 AND 2)

PRE DEVELOPMENT CONDITIONS = 1.39 ACRES (0.00% IMPERVIOUS)

POST DEVELOPMENT CONDITIONS = 1.39 ACRES (66.9% IMPERVIOUS)*

* INCLUDES POSSIBLE FUTURE DEVELOPMENT THAT HAS BEEN INCORPORATED INTO THE POND DESIGN - CURRENTLY PROPOSED ADD'L IMPERVIOUS SURFACE = 0.23 ACRES

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PROJECT	MADE	CHK.	REV.	JOB NO.
SUBJECT				SHT. NO. B-2

C. STREAM CHANNEL PROTECTION VOLUME (CP_v)

CALCULATE 24 HOUR EXTENDED DETENTION VOLUME FOR THE 1-YEAR 24-HOUR STORM EVENT FOR POST DEVELOPMENT CONDITIONS

TYPE II RAINFALL DISTRIBUTION

$$A = 1.39 \text{ AC}$$

$$RCN = 90 \text{ (SHT B-C1)}$$

$$T_c = 0.10 \text{ (SHT B-C2)}$$

$$q_p = 2.14 \text{ (SHT B-C3)}$$

$$q_u = 980 \text{ cfm/in (SHT B-C5)}$$

$$P_i = 1.89 \text{ in (SHT B-C4)}$$

$$Q_i = 0.98 \text{ (TABLE 2-1)}$$

Table 2-1 Runoff depth for selected CN's and rainfall amounts ^{L/}

Rainfall	Runoff depth for curve number of—												
	40	45	50	55	60	65	70	75	80	85	90	95	98
	Inches												
1.0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.03	0.08	0.17	0.32	0.56	0.79
1.2	.00	.00	.00	.00	.00	.00	.03	.07	.10	5.27	.46	.74	.99
1.4	.00	.00	.00	.00	.00	.00	.06	.13	.24	.39	.61	.92	1.18
1.6	.00	.00	.00	.00	.01	.05	.11	.20	.34	.52	.76	1.11	1.38
1.8	.00	.00	.00	.00	.03	.09	.17	.29	.44	.65	.93	1.29	1.58
2.0	.00	.00	.00	.02	.06	.14	.24	.38	.56	.80	1.09	1.48	1.77
2.5	.00	.00	.02	.08	.17	.30	.46	.65	.89	1.18	1.53	1.96	2.27
3.0	.00	.02	.09	.19	.33	.51	.71	.96	1.25	1.59	1.98	2.45	2.77
3.5	.02	.08	.20	.35	.53	.75	1.01	1.30	1.64	2.02	2.45	2.94	3.27
4.0	.06	.18	.33	.53	.76	1.03	1.33	1.67	2.04	2.46	2.92	3.43	3.77
4.5	.14	.30	.50	.74	1.02	1.33	1.67	2.05	2.46	2.91	3.40	3.92	4.26
5.0	.24	.44	.69	.98	1.30	1.65	2.04	2.45	2.89	3.37	3.88	4.42	4.76
6.0	.50	.80	1.14	1.52	1.92	2.35	2.81	3.28	3.78	4.30	4.85	5.41	5.76
7.0	.84	1.24	1.68	2.12	2.60	3.10	3.62	4.15	4.69	5.25	5.82	6.41	6.76
8.0	1.25	1.74	2.25	2.78	3.33	3.89	4.46	5.04	5.63	6.21	6.81	7.40	7.76
9.0	1.71	2.29	2.88	3.49	4.10	4.72	5.33	5.95	6.57	7.18	7.79	8.40	8.76
10.0	2.23	2.89	3.56	4.23	4.90	5.56	6.22	6.88	7.52	8.16	8.78	9.40	9.76
11.0	2.78	3.52	4.26	5.00	5.72	6.43	7.13	7.81	8.48	9.13	9.77	10.39	10.76
12.0	3.38	4.19	5.00	5.79	6.56	7.32	8.05	8.76	9.45	10.11	10.76	11.39	11.76
13.0	4.00	4.89	5.76	6.61	7.42	8.21	8.98	9.71	10.42	11.10	11.76	12.39	12.76
14.0	4.65	5.62	6.55	7.44	8.30	9.12	9.91	10.67	11.39	12.08	12.75	13.39	13.76
15.0	5.33	6.36	7.35	8.29	9.19	10.04	10.85	11.63	12.37	13.07	13.74	14.39	14.76

^{L/} Interpolate the values shown to obtain runoff depths for CN's or rainfall amounts not shown.

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PROJECT				
SUBJECT	MADE	CHK.	REV.	JOB NO.
				SHT. NO. B-3

DETERMINE CP_v USING THE TR-55 SHORT CUT SIZING METHOD IN APPENDIX B OF THE STORMWATER MANAGEMENT DESIGN MANUAL

$$\frac{V_s}{V_r} = 0.55 \text{ (FIG. B-2)}$$

V_s = CHANNEL PROTECTION STORAGE (CP_v)

$$V_s = CP_v = \left(\frac{V_s}{V_r} \right) \frac{QA}{12}$$

$$CP_v = \frac{(0.55)(0.98)(1.39)}{12}$$

$$CP_v = 0.06 \text{ ACRE FEET}$$

AVE. RELEASE RATE OVER 24 HRS = 0.03 CFS

Figure B.1 Detention Time vs. Discharge Ratios (Source: MDE, 2000)

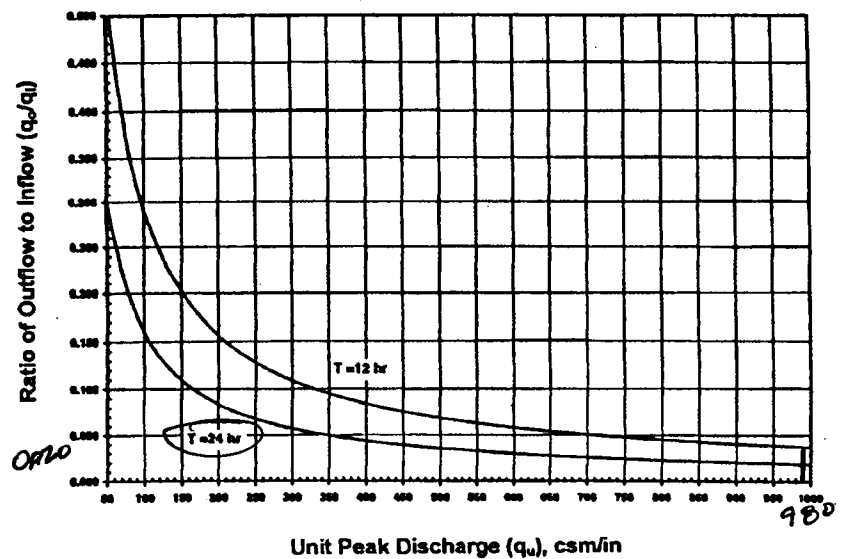
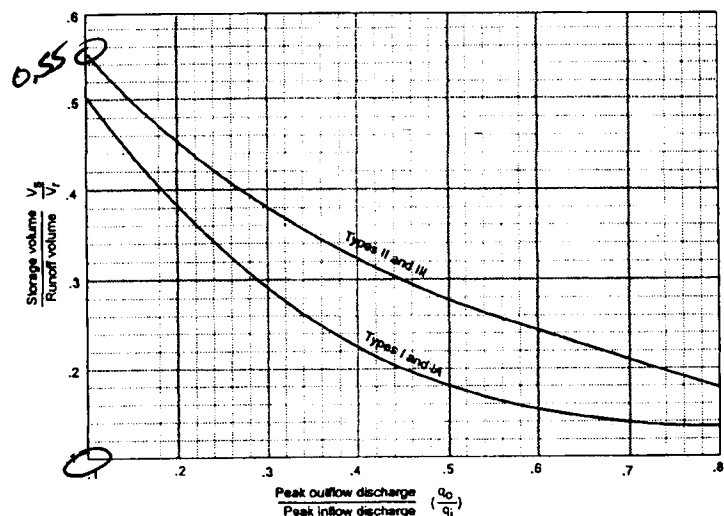


Figure B.2 Approximate Detention Basin Routing For Rainfall Types I, IA, II, and III (Source: NRCS, 1986)



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PROJECT	MADE	CHK.	REV.	JOB NO.
SUBJECT				SHT. NO. B-4

D. OVBANK FLOOD PROTECTION VOLUME ($Q_{P_{10}}$)

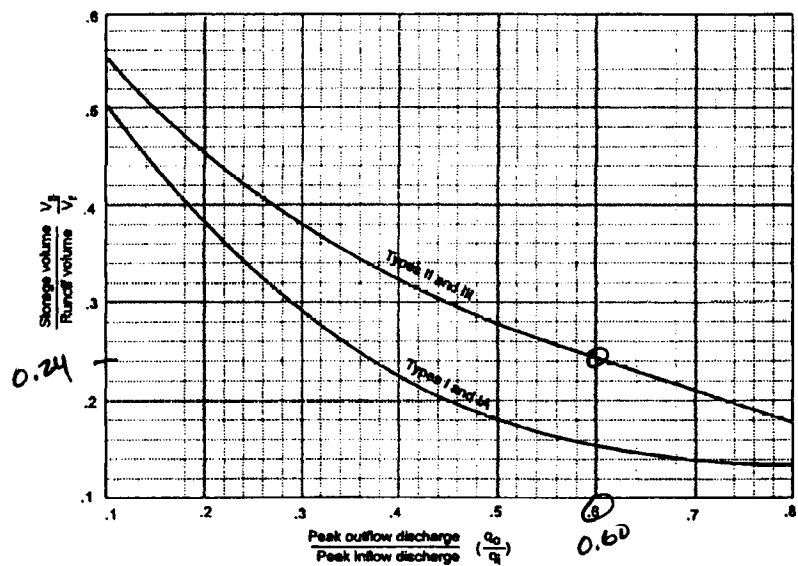
REDUCE POST DEVELOPMENT 10-YEAR PEAK DISCHARGES TO PRE DEVELOPMENT RATES

$$q_0 = \text{PRE DEVELOPMENT PEAK DISCHARGE} = 2.69 \text{ CFS (SHT C-10)}$$

$$q_i = \text{POST DEVELOPMENT PEAK DISCHARGE} = 4.46 \text{ CFS (SHT C-11)}$$

$$q_0/q_i = 2.69/4.46 = 0.60$$

Figure B.2 Approximate Detention Basin Routing For Rainfall Types I, IA, II, and III (S NRCS, 1986)



$$V_s/V_r = 0.24 \text{ (FIG B.2)}$$

$$P_{10} = 3.14 \text{ IN (SHT. BC-4)}$$

$$RCN = 90 \text{ (SHT BC-1)}$$

$$Q_{10} = 2.15 \text{ IN (TABLE 2-1)}$$

$$A = 1.39 \text{ AC}$$

$$Q_{P_{10}} = \left(\frac{V_s}{V_r} \right) \frac{Q_{10} A}{12} = (0.24) \frac{(2.15)(1.39)}{12} = 0.06 \text{ AC FT}$$

ADD 10% TO 15% STORAGE →

$$Q_{P_{10}} = 0.07 \text{ ACRE-Feet}$$

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PROJECT	MADE	CHK.	REV.	JOB NO.
SUBJECT				SHT. NO. B-5

E. EXTREME FLOOD PROTECTION VOLUME (QF)

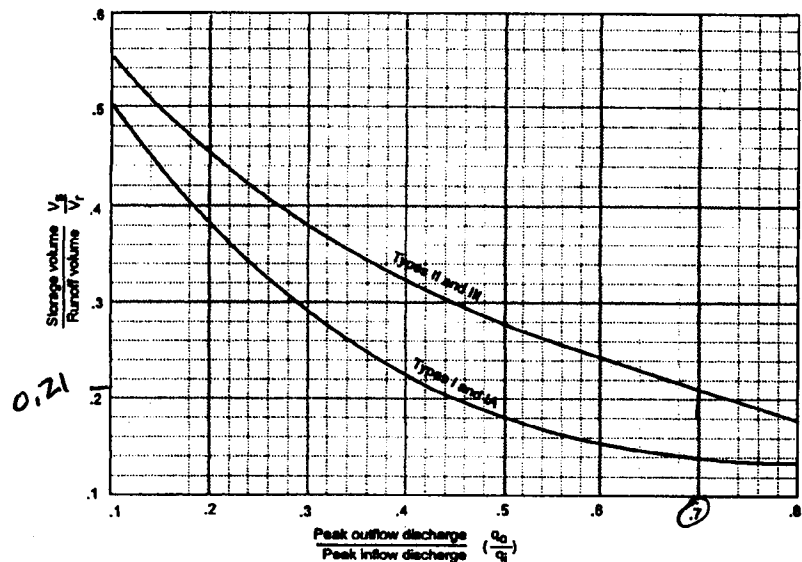
REDUCE POST DEVELOPMENT 100YR. PEAK DISCHARGES TO
PRE DEVELOPMENT RATES

$$q_0 = \text{PRE DEVELOPMENT PEAK DISCHARGE} = 5.98 \text{ CFS (SHT B-C10)}$$

$$q_i = \text{POST DEVELOPMENT PEAK DISCHARGE} = 8.50 \text{ CFS (SHT B-C11)}$$

$$q_0/q_i = \frac{5.98}{8.50} = 0.70$$

Figure B.2 Approximate Detention Basin Routing For Rainfall Types I, IA, II, and III (Source: NRCS, 1986)



$$V_s/V_r = 0.21$$

$$P_{100} = 5.29 \text{ IN (SHT B-C4)}$$

$$RCN = 90 \text{ (SHT B-C1)}$$

$$Q_{100} = 4.16 \text{ IN (TABLE 2-1)}$$

$$A = 1.39 \text{ AC.}$$

$$Q_F = \left(\frac{V_s/V_r}{12} \right) Q_{100} A = \frac{(0.21)(4.16)(1.39)}{12} = 0.10 \text{ AC. FT.}$$

ADD 10% TO 15% STORAGE →

$$Q_F = 0.12 \text{ ACRE- FEET}$$

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SHEET NO. **B-6**

F. SUMMARY OF GENERAL STORAGE REQUIREMENTS

<u>SYMBOL</u>	<u>CATEGORY</u>	<u>VOL. REQUIRED</u>	<u>NOTES</u>
CP_v	STREAM PROTECTION	0.06 AC. FT.	0.03 CFS RELEASE RATE
QP_{10}	PEAK CONTROL	0.07 AC. FT.	2.69 CFS RELEASE RATE
Q_F	FLOOD CONTROL	0.12 AC. FT.	5.98 CFS RELEASE RATE
WQ_v	WATER QUALITY VOLUME LESS RR_v	1004 CF REQUIRED (SHT. B-C12) - 239 CF (SHT. B-C15) 765 CF OR 0.018 AC. FT. STORAGE	

$$\text{ALLOWABLE RELEASE RATE} = 1004 \text{ CF} / 24 \text{ HRS} / 60 \text{ MIN} / 60 \text{ SEC} = 0.01 \text{ CFS}$$

G. POND DESIGN

WQ_v TO BE PLACED IN POND = 0.018 AC. FT.

- 50% IN PERMANENT POOL (MIN. REQ'D FOR POCKET POND)
- PROVIDE 100% REMAINING WQ_v STORAGE IN PERMANENT POOL

SET PERMANENT POOL ELEV. AT 781.00 (SHT. B-7)

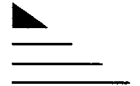
CLIENT

PROJECT

SUBJECT

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MADE

CHK

REV

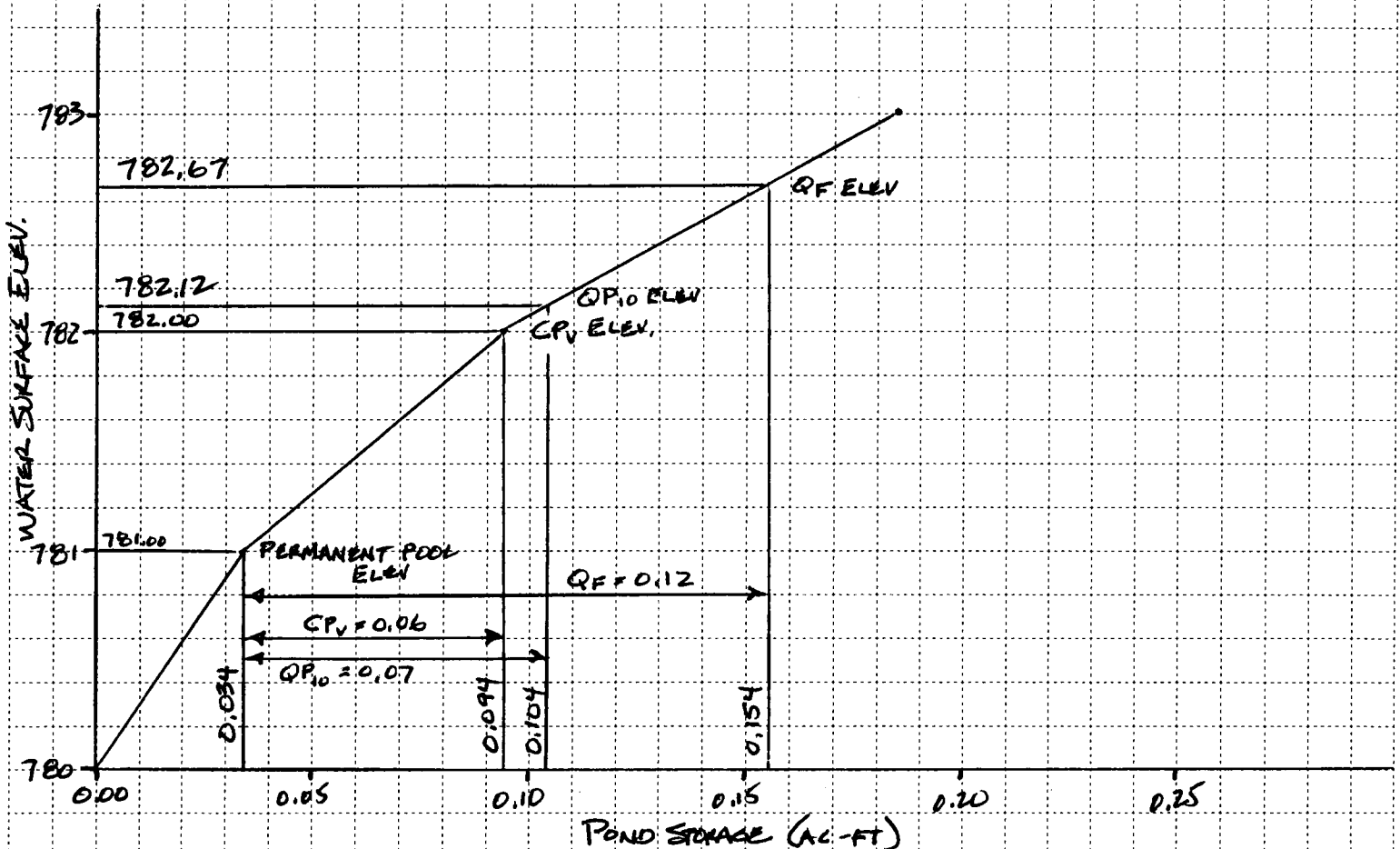
JOB NO.

SHEET NO.

B-7

H. POND CAPACITY

ELEV	FOREBAY		MICROPPOOL		CUMMULATIVE VOLUME
	AREA	VOLUME	AREA	VOLUME	
780	160 SF	305 CF	850 SF	1175 CF	0 CF = 0.0 AC FT
781	450 SF	700 CF	1500 SF	1900 CF	1480 CF = 0.034 AC FT
782	950 SF	1275 CF	2300 SF	2725 CF	4080 CF = 0.094 AC FT
783	1600 SF		3150 SF		8080 CF = 0.185 AC FT



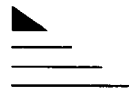
CLIENT

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REV

JOB NO.

SHEET NO.

B8

I. POND OUTLET STRUCTURE

1. CP_v -ED ORIFICE DIAMETER

CP_v WSEL = 782.00 (SEE SHT. B-7)

AVE. RELEASE RATE = 0.03 CFS (SEE SHT B-6)

SET CP_v -ED ORIFICE AT 781.00 (PERMANENT POOL)

$$AveHEAD = 782.00 - 781.00 / 2 = 0.5'$$

$$Q = CA (2gh)^{0.5} = 0.03 = (0.6) A (2(32.2)(0.5))^{0.5}$$

$$A = 0.00877 = \pi d^2 / 4$$

$$d = 0.1057' = 1.27''$$

* USE 1 1/4" DIA. PVC PIPE AT INV. ELEV. 781.00

2. QP_{10} GRATE ELEV. AND CULVERT SIZING

QP_{10} WSEL = 782.12 (SEE SHT. B-7)

ALLOWABLE RELEASE RATE = 2.69 CFS (SEE SHT B-6)

USE OUTLET CULVERT WITH MAX. CAPACITY OF 2.69 CFS

USE 12" DIA SICPP @ 0.65% SLOPE (SEE SHT B-C16)

SET LOW END OF GRATE AT ELEV. 782.12

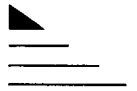
SET PIPE INLET INV. AT. 781.13

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PROJECT

SUBJECT

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CHK

REV

JOB NO.

SHEET NO.

B-9

J. SPILLWAY DESIGN

$$\begin{array}{r} Q_F \text{ RELEASE RATE} = 5.98 \text{ CFS (SEE SHT B-6)} \\ \text{LESS } Q_{P10} \text{ RELEASE} \quad - 2.69 \text{ CFS} \\ \hline \end{array}$$

$$\text{REQ'D SPILLWAY RELEASE} = 3.29 \text{ CFS}$$

10' WIDE SPILLWAY WITH 1 FPS FLOW RATE \rightarrow 0.33' DEPTH

SET SPILLWAY ELEV. AT 782.50

GFT

FLX Marine Expansion
 Post Development Conditions
 Ontario County, New York

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use	Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
site	Open space; grass cover > 75% (good)	C	.455	74
	Paved parking lots, roofs, driveways	C	.93	98
	Total Area / Weighted Curve Number		1.39 ====	90 ==

= RCN

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FLX Marine Expansion
 Post Development Conditions
 Ontario County, New York

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)

site							
SHEET	100	0.0200	0.011				0.024
SHALLOW	120	0.0200	0.025				0.012
SHALLOW	80	0.0300	0.050				0.008

Time of Concentration 0.1
 =====

FLX Marine Expansion
Post Development Conditions

B-23

Line							
Start Time	Flow Values @ time increment of 0.006 hr						
(hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
14.963	0.07	0.07	0.07	0.06	0.06	0.06	0.06
15.007	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.051	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.096	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.140	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.184	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.228	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.272	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.317	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.361	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.405	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.449	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.494	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.538	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.582	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.626	0.06	0.06	0.06	0.06	0.06	0.06	0.06
15.670	0.06	0.06	0.06	0.05	0.05	0.05	0.05
15.715	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.759	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.803	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.847	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.891	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.936	0.05	0.05	0.05	0.05	0.05	0.05	0.05
15.980	0.05	0.05	0.05	0.05	0.05	0.05	0.05
16.024	0.05	0.05	0.05				

14R SDRM

Area or Reach Identifier	Drainage Area (sq mi)	Rain Gage ID or Location	Runoff Amount (in)	Peak Flow			
				Elevation (ft)	Time (hr)	Rate (cfs)	Rate (csm)
OUTLET	0.002		0.781		11.93	2.14	987.98

Line							
Start Time	Flow Values @ time increment of 0.006 hr						
(hr)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)	(cfs)
10.940	0.05	0.05	0.05	0.05	0.05	0.05	0.05
10.984	0.05	0.05	0.05	0.05	0.05	0.05	0.05
11.028	0.06	0.06	0.06	0.06	0.06	0.06	0.06
11.072	0.06	0.06	0.06	0.06	0.06	0.06	0.06
11.117	0.06	0.06	0.06	0.06	0.06	0.07	0.07
11.161	0.07	0.07	0.07	0.07	0.07	0.07	0.07
11.205	0.07	0.07	0.07	0.07	0.07	0.08	0.08
11.249	0.08	0.08	0.08	0.08	0.08	0.08	0.08
11.294	0.08	0.08	0.08	0.09	0.09	0.09	0.09
11.338	0.09	0.09	0.09	0.09	0.09	0.09	0.09
11.382	0.10	0.10	0.10	0.10	0.10	0.10	0.10
11.426	0.10	0.10	0.10	0.10	0.10	0.11	0.11
11.470	0.11	0.11	0.11	0.11	0.11	0.11	0.11
11.515	0.12	0.12	0.12	0.13	0.14	0.14	0.15
11.559	0.16	0.18	0.19	0.20	0.20	0.21	0.22

GFT

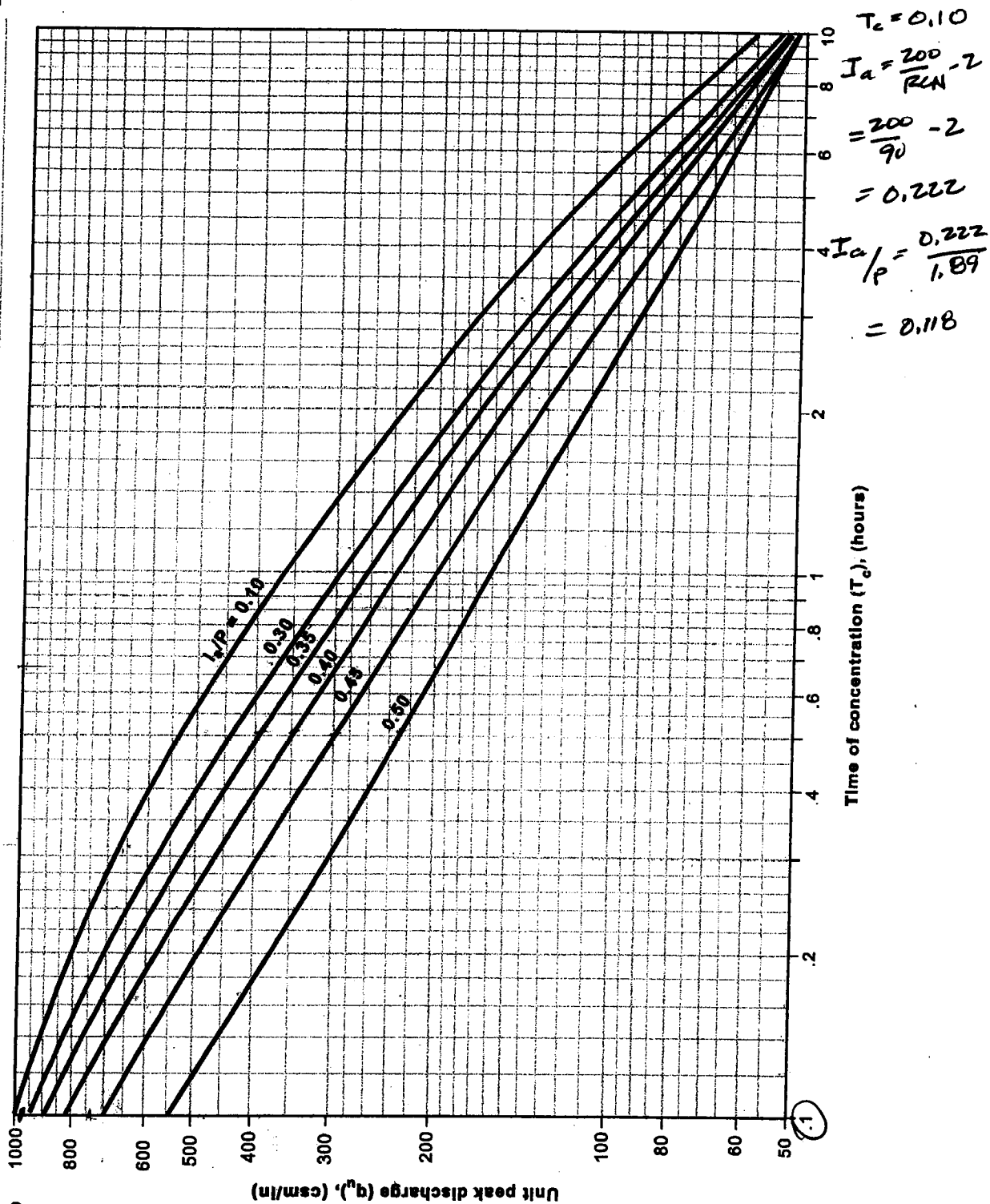
FLX Marine Expansion
Pre Development Conditions
Ontario County, New York

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.19	2.69	3.14	3.87	4.52	5.29	1.89

Storm Data Source: Ontario County, NY (NRCS)
Rainfall Distribution Type: Type II
Dimensionless Unit Hydrograph: <standard>

Exhibit 4-II Unit peak discharge (q_u) for NRCS (SCS) type II rainfall distribution

GFT

FLX Marine Expansion
 Pre Development Conditions
 Ontario County, New York

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
site	Woods - grass combination	(fair)	D	1.385	82
	Total Area / Weighted Curve Number			1.39	82
				====	==

GFT

FLX Marine Expansion
Pre Development Conditions
Ontario County, New York

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
site							
SHEET	100	0.0200	0.150				0.197
SHALLOW	200	0.0300	0.050				0.020

Time of Concentration .217
=====

GFT

FLX Marine Expansion
Pre Development Conditions
Ontario County, New York

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description
------------------------	--------------------------	----------------------------------	-----------------	--------------------	-------------------------

site	1.39	0.217	82	Outlet	site
------	------	-------	----	--------	------

Total Area: 1.39 (ac)

GFT

FLX Marine Expansion
Post Development Conditions
Ontario County, New York

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description
site	1.39	0.100	90	Outlet	site

Total Area: 1.39 (ac)

GFT

FLX Marine Expansion
Pre Development Conditions
 Ontario County, New York

Hydrograph Peak/Peak Time Table

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period							1-Yr (cfs)
	2-Yr (cfs) (hr)	5-Yr (cfs) (hr)	10-Yr (cfs) (hr)	25-Yr (cfs) (hr)	50-Yr (cfs) (hr)	100-Yr (cfs) (hr)		

SUBAREAS								
site	1.38 12.03	2.05 12.03	2.69 12.03	3.78 12.03	4.78 12.02	5.98 12.02	1.00 12.04	
REACHES								
OUTLET	1.38	2.05	2.69	3.78	4.78	5.98	1.00	

GFT

FLX Marine Expansion
 Post Development Conditions
 Ontario County, New York

Hydrograph Peak/Peak Time Table

Sub-Area or Reach Identifier	Peak Flow and Peak Time (hr) by Rainfall Return Period						
	2-Yr (cfs) (hr)	5-Yr (cfs) (hr)	10-Yr (cfs) (hr)	25-Yr (cfs) (hr)	50-Yr (cfs) (hr)	100-Yr (cfs) (hr)	1-Yr (cfs) (hr)

SUBAREAS							
site	2.69	3.62	4.46	5.84	7.06	8.50	2.14
	11.94	11.93	11.93	11.93	11.93	11.93	11.93
REACHES							
OUTLET	2.69	3.62	4.46	5.84	7.06	8.50	2.14

Is this project subject to Chapter 10 of the NYS Design Manual (i.e. WQv is equal to post-development 1 year runoff volume)?.....

Design Point:

P=

1.00

inch

Breakdown of Subcatchments

Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft ³)	Description
1	1.39	0.23	17%	0.20	1,004	
2						
3						
4						
5						
6						
7						
8						
9						
10						
Subtotal (1-30)	1.39	0.23	17%	0.20	1,004	Subtotal 1
Total	1.39	0.23	17%	0.20	1,004	Initial WQv

Identify Runoff Reduction Techniques By Area

Technique	Total Contributing Area	Contributing Impervious Area	Notes
	(Acre)	(Acre)	
Conservation of Natural Areas	0.00	0.00	minimum 10,000 sf
Riparian Buffers	0.00	0.00	maximum contributing length 75 feet to 150 feet
Filter Strips	0.00	0.00	
Tree Planting	0.00	0.00	Up to 100 sf directly connected impervious area may be subtracted per tree
Total	0.00	0.00	

Recalculate WQv after application of Area Reduction Techniques

	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Runoff Coefficient Rv	WQv (ft ³)
"<<Initial WQv"	1.39	0.23	17%	0.20	1,004
Subtract Area	0.00	0.00			
WQv adjusted after Area Reductions	1.39	0.23	17%	0.20	1,004
Disconnection of Rooftops		0.00			
Adjusted WQv after Area Reduction and Rooftop Disconnect	1.39	0.23	17%	0.20	1,004
WQv reduced by Area Reduction techniques					0

Runoff Reduction Techniques/Standard SMPs			Total Contributing Area (acres)	Total Contributing Impervious Area (acres)	WQv Reduced (RRv) cf	WQv Treated cf
Area/Volume Reduction	Conservation of Natural Areas	RR-1	0.00	0.00		
	Sheetflow to Riparian Buffers/Filter Strips	RR-2	0.00	0.00		
	Tree Planting/Tree Pit	RR-3	0.00	0.00		
	Disconnection of Rooftop Runoff	RR-4		0.00		
	Vegetated Swale	RR-5	0.00	0.00	0	
	Rain Garden	RR-6	0.00	0.00	0	
	Stormwater Planter	RR-7	0.00	0.00	0	
	Rain Barrel/Cistern	RR-8	0.00	0.00	0	
	Porous Pavement	RR-9	0.00	0.00	0	
	Green Roof (Intensive & Extensive)	RR-10	0.00	0.00	0	
Standard SMPs w/RRv Capacity	Infiltration Trench	I-1	0.00	0.00	0	0
	Infiltration Basin	I-2	0.00	0.00	0	0
	Dry Well	I-3	0.00	0.00	0	0
	Underground Infiltration System	I-4				
	Bioretention & Infiltration Bioretention	F-5	0.00	0.00	0	0
	Dry swale	O-1	1.39	0.23	239	764
Standard SMPs	Micropool Extended Detention (P-1)	P-1				
	Wet Pond (P-2)	P-2				
	Wet Extended Detention (P-3)	P-3				
	Multiple Pond system (P-4)	P-4				
	Pocket Pond (p-5)	P-5				
	Surface Sand filter (F-1)	F-1				
	Underground Sand filter (F-2)	F-2				
	Perimeter Sand Filter (F-3)	F-3				
	Organic Filter (F-4)	F-4				
	Shallow Wetland (W-1)	W-1				
	Extended Detention Wetland (W-2)	W-2				
	Pond/Wetland System (W-3)	W-3				
	Pocket Wetland (W-4)	W-4				
	Wet Swale (O-2)	O-2				
Totals by Area Reduction →			0.00	0.00	0	
Totals by Volume Reduction →			0.00	0.00	0	
Totals by Standard SMP w/RRV →			1.39	0.23	239	764
Totals by Standard SMP →			0.00	0.00		0
Totals (Area + Volume + all SMPs) →			1.39	0.23	240	764
Impervious Cover v		okay				

Minimum RRv

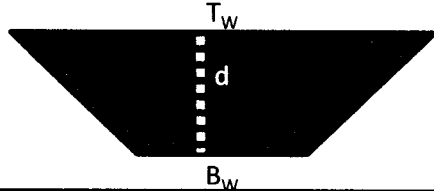
B-C14

Enter the Soils Data for the site		
Soil Group	Acres	S
A		55%
B		40%
C	1.39	30%
D		20%
Total Area	1.39	

Calculate the Minimum RRv		
S =	0.30	
Impervious =	0.23	acre
Precipitation	1	in
Rv	0.95	
Minimum RRv	238	ft3
	0.01	af

Dry Swale Worksheet

B-C15

Design Point:							
Enter Site Data For Drainage Area to be Treated by Practice							
Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft ³)	Precipitation (in)	Description
1	1.39	0.23	0.17	0.20	1003.70	1.00	
Enter Impervious Area Reduced by Disconnection of Rooftops			17%	0.20	1,004	<<WQv after adjusting for Disconnected Rooftops	
Pretreatment Provided					Pretreatment Technique		
Pretreatment (10% of WQv)			100	ft ³			
Calculate Available Storage Capacity							
Bottom Width	3	ft	Design with a bottom width no greater than eight feet to avoid potential gullyng and channel braiding, but no less than two feet				
Side Slope (X:1)	2	Okay	Channels shall be designed with moderate side slopes (flatter than 3:1) for most conditions. 2:1 is the absolute maximum side slope				
Longitudinal Slope	1%	Okay	Maximum longitudinal slope shall be 4%				
Flow Depth	0.75	ft	Maximum ponding depth of one foot at the mid-point of the channel, and a maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Top Width	6	ft					
Area	3.38	sf					
Minimum Length	268	ft					
Actual Length	325	ft					
End Point Depth check	0.75	Okay	A maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Storage Capacity	1,197	ft ³					
Soil Group (HSG)			C				
Runoff Reduction							
Is the Dry Swale contributing flow to another practice?			No	Select Practice			
RRv	239	ft ³	Runoff Reduction equals 40% in HSG A and B and 20% in HSG C and D up to the WQv				
Volume Treated	764	ft ³	This is the difference between the WQv calculated and the runoff reduction achieved in the swale				
Volume Directed	0	ft ³	This volume is directed another practice				
Volume V	Okay		Check to be sure that channel is long enough to store WQv				

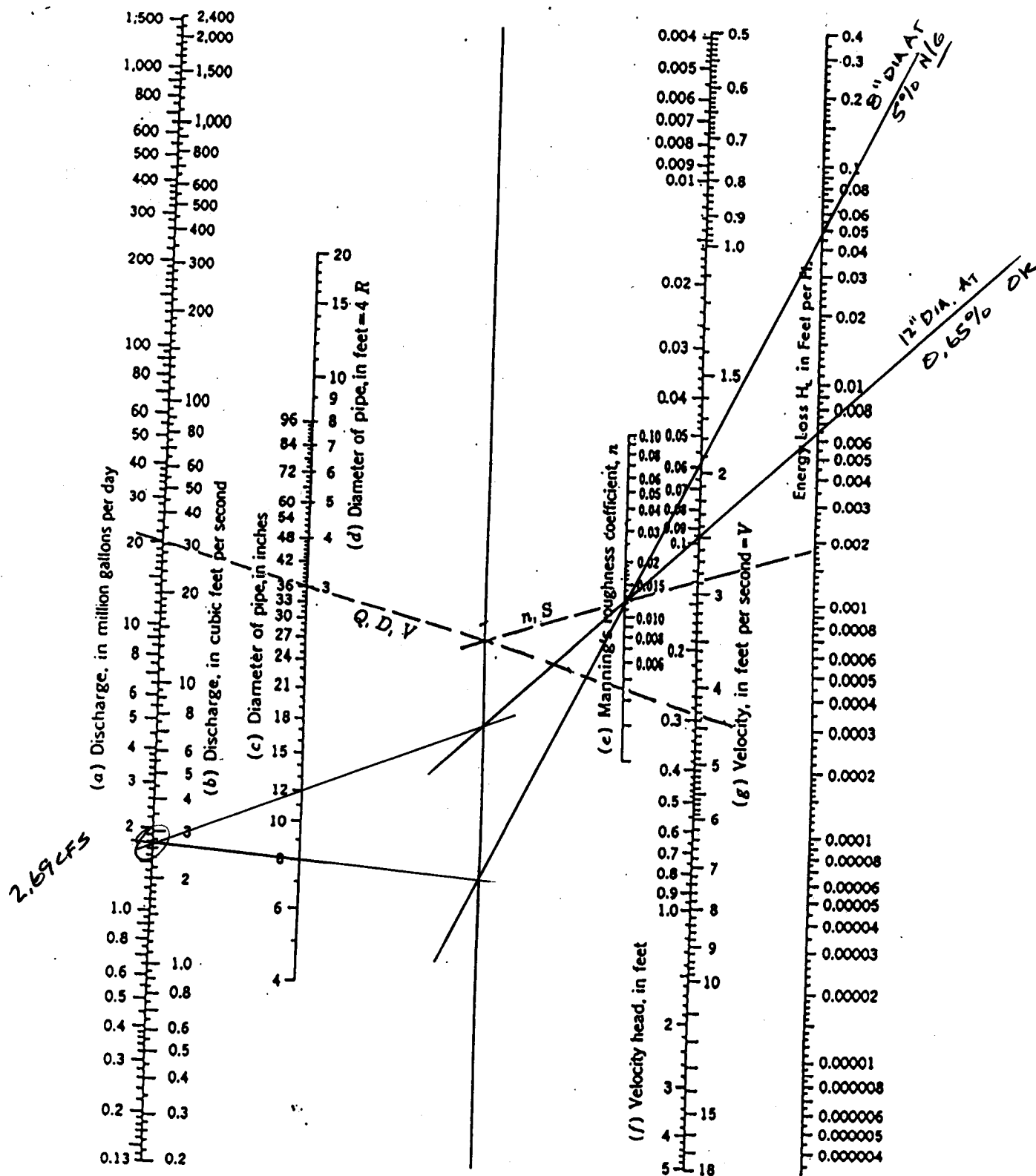


Fig. 4-43. Alignment chart for energy loss in pipes, for Manning's formula.

Note: Use chart for flow computations, $H_L = S$

Appendix C

Notice of Intent / Notice of Termination

NOI for coverage under Stormwater General Permit for Construction Activity

version 1.31

(Submission #: HPD-Z3SV-3YEV7, version 1)

Details

Originally Started By GLENN THORNTON

Submission ID HPD-Z3SV-3YEV7

Submission Reason New

Status Draft

Form Input

Owner/Operator Information

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

Frontenac Holding, LLC

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Degraw

Owner/Operator Contact Person First Name

Kevin

Owner/Operator Mailing Address

21 Basin Street

City

Union Springs

State

NY

Zip

13160

Phone

636-236-7607

Email

k.degraw@att.net

Federal Tax ID

NONE PROVIDED

Project Location**Project/Site Name**

FLX Marine Boat Display Expansion

Street Address (Not P.O. Box)

2121 State Route 332

Side of Street

East

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Town of Canandaigua

State

NY

Zip

14424

DEC Region

8

County

ONTARIO

Name of Nearest Cross Street

Yerkes Road

Distance to Nearest Cross Street (Feet)

485

Project In Relation to Cross Street

South

Tax Map Numbers Section-Block-Parcel

56.00-1-57.000

Tax Map Numbers

NONE PROVIDED

1. Coordinates

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

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.

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

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

42.92895095236163,-77.31242965571943

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

New Construction

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

Commercial

Post-Development Future Land Use

Commercial

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

NONE PROVIDED

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

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

Total Site Area (acres)

1.39

Total Area to be Disturbed (acres)

0.60

Existing Impervious Area to be Disturbed (acres)

0.00

Future Impervious Area Within Disturbed Area (acres)

0.23

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

No

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

A (%)

0

B (%)

0

C (%)

50

D (%)

50

7. Is this a phased project?

No

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

Start Date

3/15/2022

End Date

6/1/2022

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

Canandaigua Outlet

9a. Type of waterbody identified in question 9?

Stream/Creek Off Site

Other Waterbody Type Off Site Description

NONE PROVIDED

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

NONE PROVIDED

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

No

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

No

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

No

If No, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey?

No

If Yes, what is the acreage to be disturbed?

NONE PROVIDED

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

No

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

Yes

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

Town of Canandaigua

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

No

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

No

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

No

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

No

Required SWPPP Components

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

Yes

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

Yes

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

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

Yes

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

SWPPP Preparer

Thornton Engineering LLP

Contact Name (Last, Space, First)

Thornton, Glenn

Mailing Address

30 Assembly Drive Suite 106

City

Mendon

State

New York

Zip

14506

Phone

5856244810

Email

glenn@thorntoneng.com

Download SWPPP Preparer Certification Form

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

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form

3) Scan the signed form

4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)

Please upload the SWPPP Preparer Certification

NONE PROVIDED

Comment

NONE PROVIDED

Erosion & Sediment Control Criteria

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

Yes

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

Temporary Structural

Check Dams

Stabilized Construction Entrance

Silt Fence

Dust Control

Biotechnical

None

Vegetative Measures

Mulching

Topsoiling

Seeding

Permanent Structural

Land Grading

Other

NONE PROVIDED

Post-Construction Criteria

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

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

NONE PROVIDED

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).

NONE PROVIDED

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

NONE PROVIDED

29. Post-construction SMP Identification

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

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

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

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

NONE PROVIDED

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 33.

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

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

33. SMPs

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

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

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

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 36.

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

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

CPv Required (acre-feet)

NONE PROVIDED

CPv Provided (acre-feet)

NONE PROVIDED

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

NONE PROVIDED

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

Overbank Flood Control Criteria (Qp)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

Total Extreme Flood Control Criteria (Qf)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

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

NONE PROVIDED

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

Yes

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

Frontenac Holding, LLC

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

NONE PROVIDED

Post-Construction SMP Identification

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

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

RR Techniques (Area Reduction)

Round to the nearest tenth

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

RR Techniques (Volume Reduction)

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

Standard SMPs with RRV Capacity

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

Total Contributing Impervious Acres for Underground Infiltration System (I-4)
NONE PROVIDED

Total Contributing Impervious Acres for Bioretention (F-5)
NONE PROVIDED

Total Contributing Impervious Acres for Dry Swale (O-1)
NONE PROVIDED

Standard SMPs

Total Contributing Impervious Acres for Micropool Extended Detention (P-1)
NONE PROVIDED

Total Contributing Impervious Acres for Wet Pond (P-2)
NONE PROVIDED

Total Contributing Impervious Acres for Wet Extended Detention (P-3)
NONE PROVIDED

Total Contributing Impervious Acres for Multiple Pond System (P-4)
NONE PROVIDED

Total Contributing Impervious Acres for Pocket Pond (P-5)
NONE PROVIDED

Total Contributing Impervious Acres for Surface Sand Filter (F-1)
NONE PROVIDED

Total Contributing Impervious Acres for Underground Sand Filter (F-2)
NONE PROVIDED

Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)
NONE PROVIDED

Total Contributing Impervious Acres for Organic Filter (F-4)
NONE PROVIDED

Total Contributing Impervious Acres for Shallow Wetland (W-1)
NONE PROVIDED

Total Contributing Impervious Acres for Extended Detention Wetland (W-2)
NONE PROVIDED

Total Contributing Impervious Acres for Pond/Wetland System (W-3)
NONE PROVIDED

Total Contributing Impervious Acres for Pocket Wetland (W-4)
NONE PROVIDED

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

NONE PROVIDED

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

Total Contributing Impervious Area for Hydrodynamic

NONE PROVIDED

Total Contributing Impervious Area for Wet Vault

NONE PROVIDED

Total Contributing Impervious Area for Media Filter

NONE PROVIDED

"Other" Alternative SMP?

NONE PROVIDED

Total Contributing Impervious Area for "Other"

NONE PROVIDED

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

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

Manufacturer of Alternative SMP

NONE PROVIDED

Name of Alternative SMP

NONE PROVIDED

Other Permits

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

None

If SPDES Multi-Sector GP, then give permit ID

NONE PROVIDED

If Other, then identify

NONE PROVIDED

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

No

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

NONE PROVIDED

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

NONE PROVIDED

MS4 SWPPP Acceptance

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

Yes - Please attach the MS4 Acceptance form below

If No, skip question 44

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

Yes

MS4 SWPPP Acceptance Form Download

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

[MS4 SWPPP Acceptance Form](#)

MS4 Acceptance Form Upload

NONE PROVIDED

Comment

NONE PROVIDED

Owner/Operator Certification

Owner/Operator Certification Form Download

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

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

Upload Owner/Operator Certification Form

NONE PROVIDED

Comment

NONE PROVIDED



Department of
Environmental
Conservation

SWPPP Preparer Certification Form

*SPDES General Permit for Stormwater
Discharges From Construction Activity
(GP-0-20-001)*

Project Site Information

Project/Site Name

Owner/Operator Information

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

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First name

MI

Last Name

Signature

Date



Department of
Environmental
Conservation

NYS 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



Owner/Operator Certification Form

SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-20-001)

Project/Site Name: _____

eNOI Submission Number: _____

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

Certification Statement - Owner/Operator

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Owner/Operator First Name **M.I.** **Last Name**

Signature

Date

**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:

4b. 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, a mechanism is 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.
- ☐ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; 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 2015)

Appendix D

NYSDEC SPDES General Permit for Stormwater Discharges
from Construction Activity (GP-0-20-001)



Department of
Environmental
Conservation

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP- 0-20-001


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

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator



Authorized Signature

1-23-20
Date

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

PREFACE

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

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

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

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

Table of Contents

Part 1. PERMIT COVERAGE AND LIMITATIONS	1
A. Permit Application	1
B. Effluent Limitations Applicable to Discharges from Construction Activities	1
C. Post-construction Stormwater Management Practice Requirements	4
D. Maintaining Water Quality	8
E. Eligibility Under This General Permit.....	9
F. Activities Which Are Ineligible for Coverage Under This General Permit	9
Part II. PERMIT COVERAGE	12
A. How to Obtain Coverage	12
B. Notice of Intent (NOI) Submittal	13
C. Permit Authorization	13
D. General Requirements For Owners or Operators With Permit Coverage	15
E. Permit Coverage for Discharges Authorized Under GP-0-15-002.....	17
F. Change of Owner or Operator	17
Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)	18
A. General SWPPP Requirements	18
B. Required SWPPP Contents	20
C. Required SWPPP Components by Project Type.....	24
Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS	24
A. General Construction Site Inspection and Maintenance Requirements	24
B. Contractor Maintenance Inspection Requirements	24
C. Qualified Inspector Inspection Requirements	25
Part V. TERMINATION OF PERMIT COVERAGE	29
A. Termination of Permit Coverage	29
Part VI. REPORTING AND RETENTION RECORDS	31
A. Record Retention	31
B. Addresses	31
Part VII. STANDARD PERMIT CONDITIONS.....	31
A. Duty to Comply.....	31
B. Continuation of the Expired General Permit.....	32
C. Enforcement.....	32
D. Need to Halt or Reduce Activity Not a Defense.....	32
E. Duty to Mitigate	33
F. Duty to Provide Information.....	33
G. Other Information	33
H. Signatory Requirements.....	33
I. Property Rights	35
J. Severability.....	35

K.	Requirement to Obtain Coverage Under an Alternative Permit	35
L.	Proper Operation and Maintenance	36
M.	Inspection and Entry	36
N.	Permit Actions	37
O.	Definitions	37
P.	Re-Opener Clause	37
Q.	Penalties for Falsification of Forms and Reports	37
R.	Other Permits	38
APPENDIX A – Acronyms and Definitions		39
Acronyms.....		39
Definitions.....		40
APPENDIX B – Required SWPPP Components by Project Type		48
Table 1.....		48
Table 2.....		50
APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal.....		52
APPENDIX D – Watersheds with Lower Disturbance Threshold		58
APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)		59
APPENDIX F – List of NYS DEC Regional Offices		65

Part 1. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

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

B. Effluent Limitations Applicable to Discharges from Construction Activities

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

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

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

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

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

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

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

C. Post-construction Stormwater Management Practice Requirements

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

a. Sizing Criteria for New Development

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

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

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

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

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

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

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

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

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

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

c. Sizing Criteria for Redevelopment Activity

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

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

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

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

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

D. Maintaining Water Quality

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

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

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

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

E. Eligibility Under This General Permit

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

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

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

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

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

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

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

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

d. Documentation that:

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

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

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

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

B. Notice of Intent (NOI) Submittal

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

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

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

C. Permit Authorization

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

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

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

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

D. General Requirements For Owners or Operators With Permit Coverage

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

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

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

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

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

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

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

F. Change of Owner or Operator

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

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

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

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

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

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

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

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

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

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

B. Required SWPPP Contents

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

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

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

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

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

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

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

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

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

C. Required SWPPP Components by Project Type

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

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

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

B. Contractor Maintenance Inspection Requirements

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

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

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

C. Qualified Inspector Inspection Requirements

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

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

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

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

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

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

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

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

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

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

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

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

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

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

B. Addresses

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

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

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

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

B. Continuation of the Expired General Permit

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

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

E. Duty to Mitigate

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

F. Duty to Provide Information

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

G. Other Information

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

H. Signatory Requirements

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

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

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

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

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

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

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

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

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

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

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

N. Permit Actions

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

O. Definitions

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

P. Re-Opener Clause

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

Q. Penalties for Falsification of Forms and Reports

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

R. Other Permits

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

APPENDIX A – Acronyms and Definitions

Acronyms

APO – Agency Preservation Officer
BMP – Best Management Practice
CPESC – Certified Professional in Erosion and Sediment Control
Cpv – Channel Protection Volume
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
DOW – Division of Water
EAF – Environmental Assessment Form
ECL - Environmental Conservation Law
EPA – U. S. Environmental Protection Agency
HSG – Hydrologic Soil Group
MS4 – Municipal Separate Storm Sewer System
NOI – Notice of Intent
NOT – Notice of Termination
NPDES – National Pollutant Discharge Elimination System
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review
SEQRA - State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SPDES – State Pollutant Discharge Elimination System
SWPPP – Stormwater Pollution Prevention Plan
TMDL – Total Maximum Daily Load
UPA – Uniform Procedures Act
USDA – United States Department of Agriculture
WQv – Water Quality Volume

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX B – Required SWPPP Components by Project Type

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

<p>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 <i>agricultural building</i>, silo, stock yard or pen.
<p>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</p> <p>All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.</p>
<p>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• Pond construction• Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover• Cross-country ski trails and walking/hiking trails• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.• Slope stabilization projects• Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics

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

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

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

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

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

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

Table 2 (Continued)

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

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

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

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

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

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

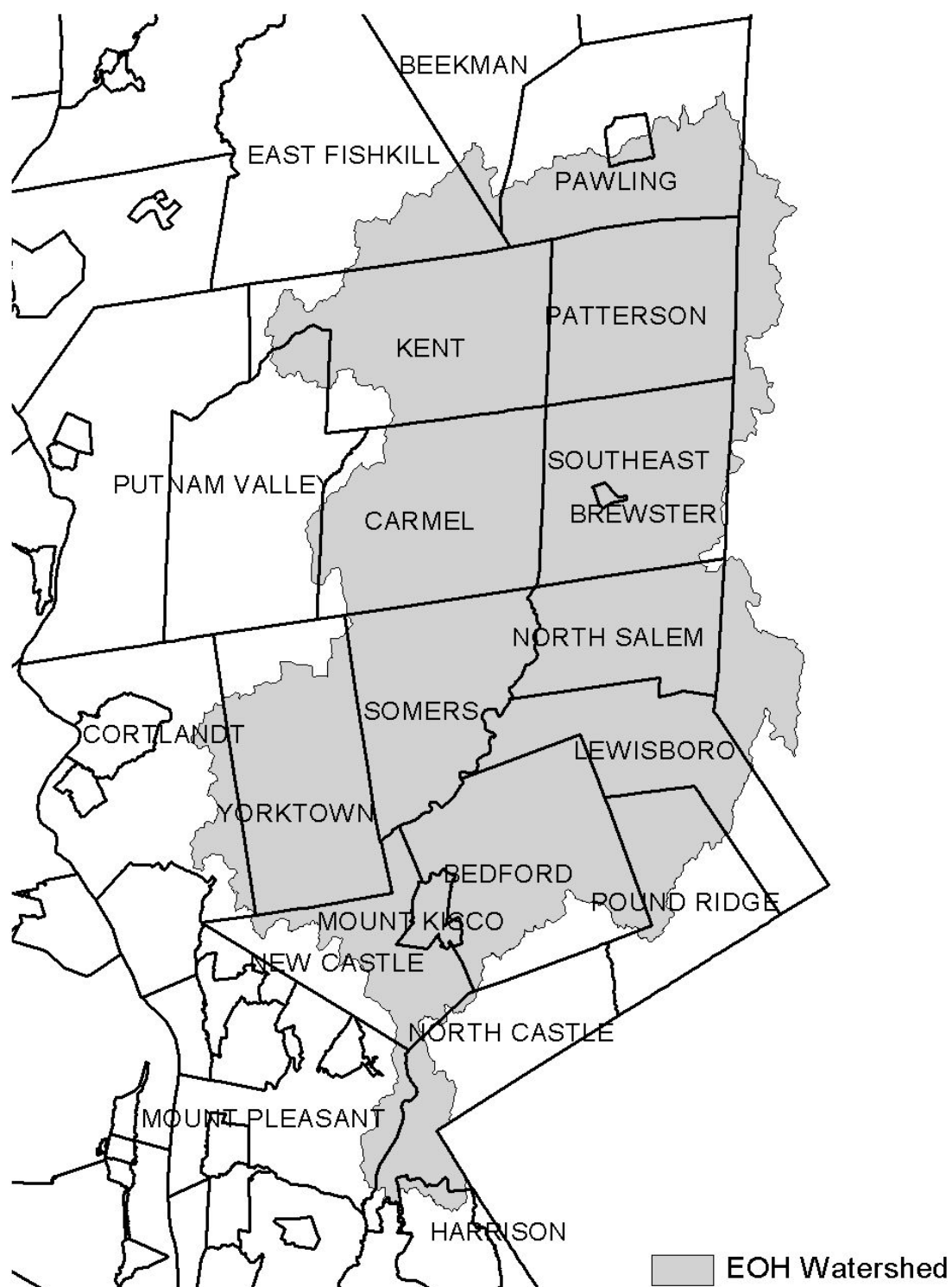
Figure 1 - New York City Watershed East of the Hudson

Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

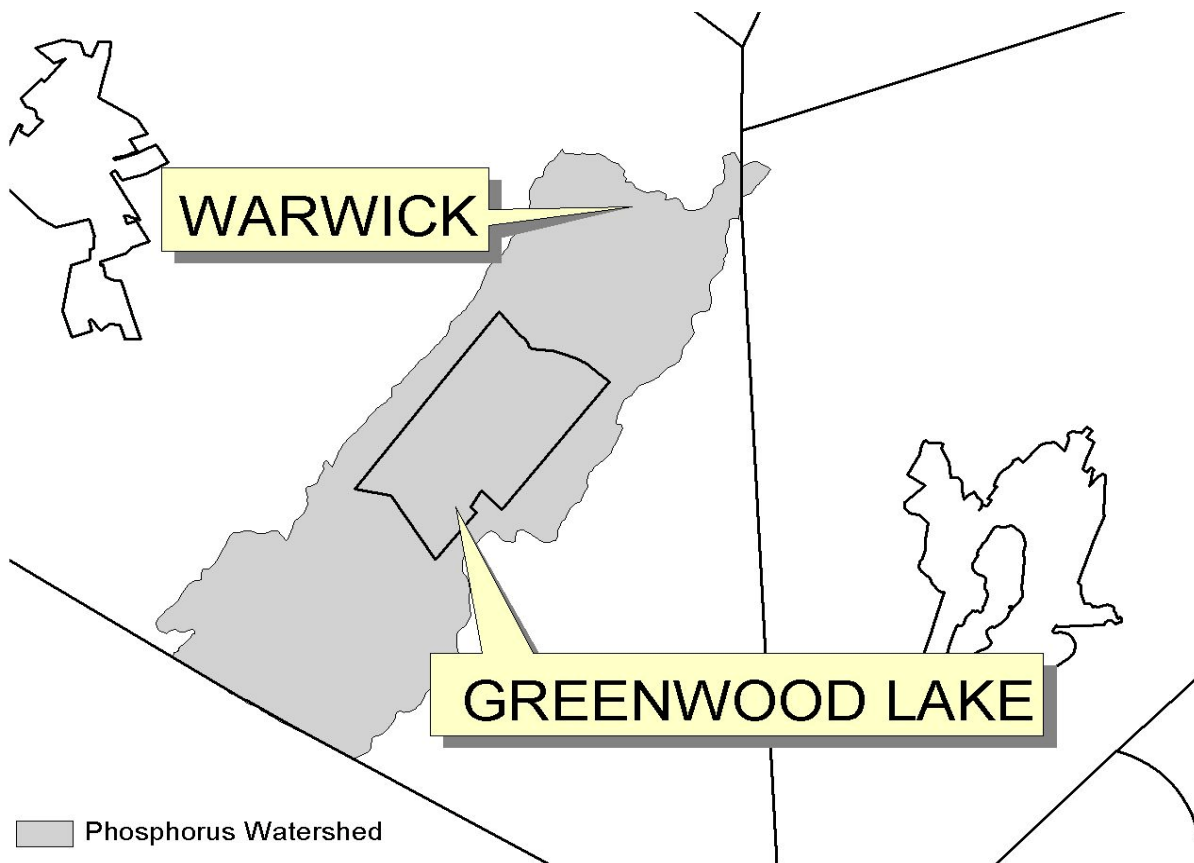


Figure 4 - Oscawana Lake Watershed

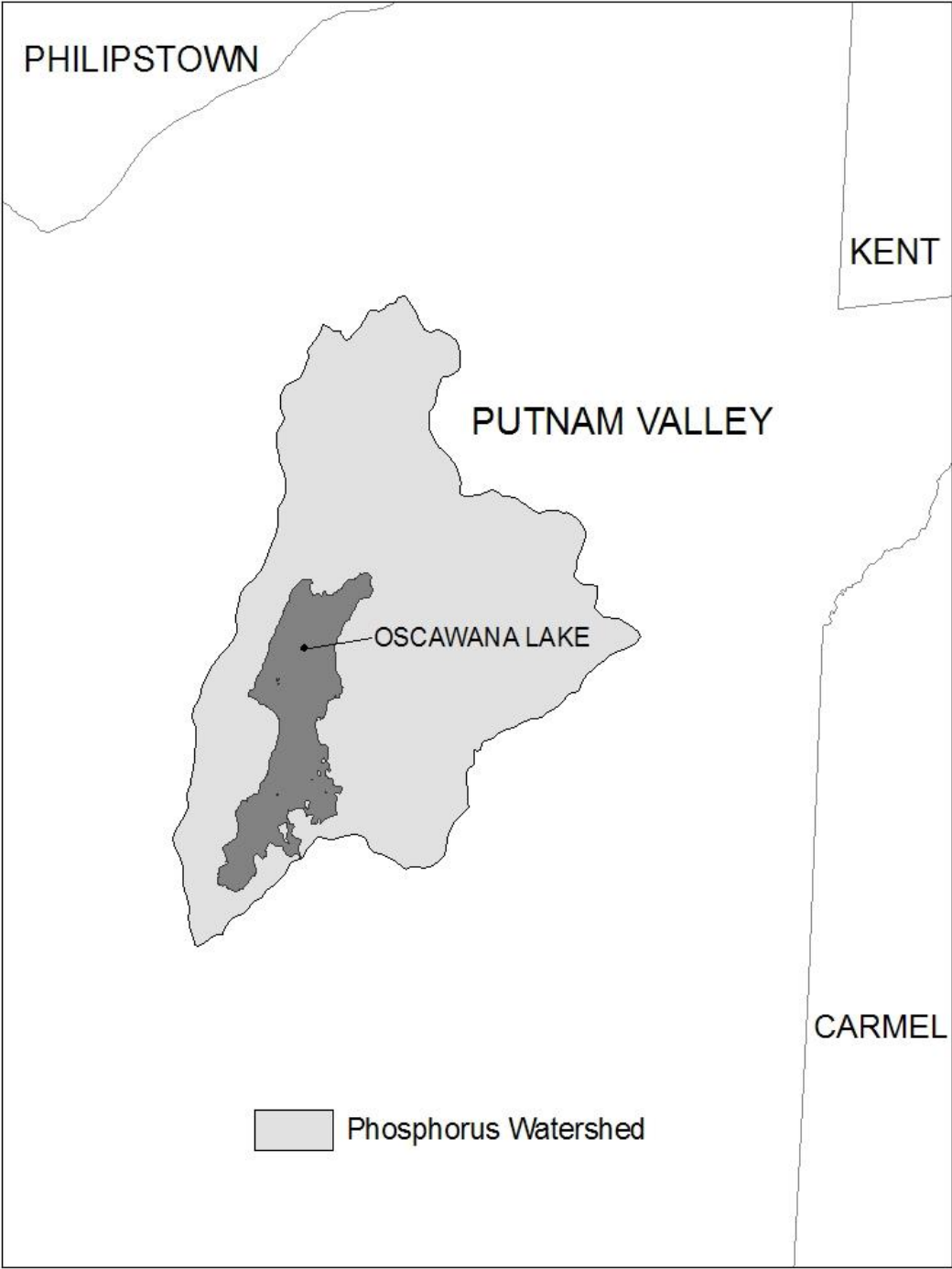
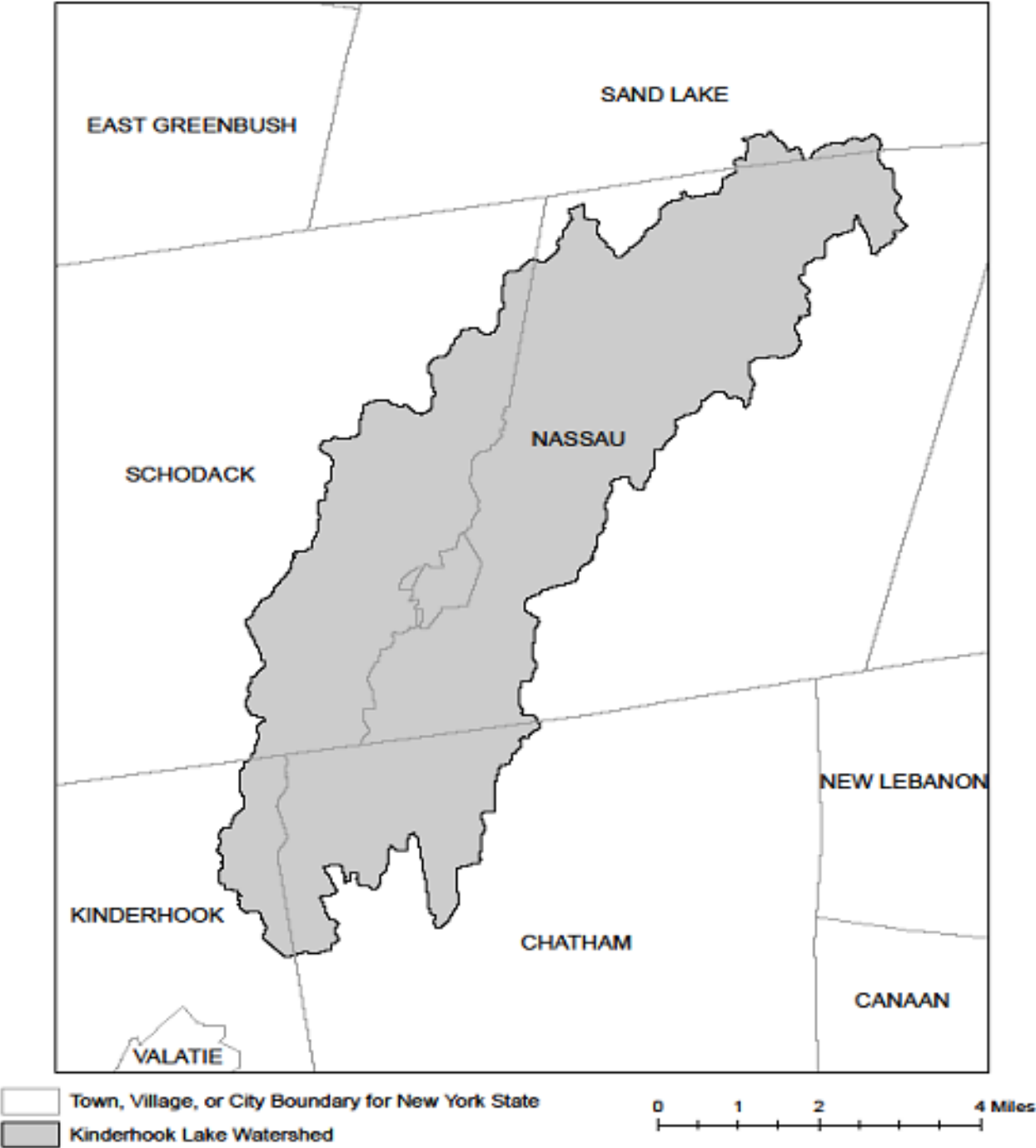


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Watersheds with Lower Disturbance Threshold

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

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C
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APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX F – List of NYS DEC Regional Offices

<u>Region</u>	<u>COVERING THE FOLLOWING COUNTIES:</u>	<u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u>	<u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u>
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD 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 ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

Appendix E

Declaration of Restrictive Covenant Regarding Stormwater Maintenance

**DECLARATION OF RESTRICTIVE COVENANT
REGARDING STORMWATER MAINTENANCE**

This Declaration of Restrictive Covenant regarding Stormwater Maintenance is entered into effective the _____ day of _____, 2022 by Frontenac Holding, LLC (the "Owner"), as owner of the real property located at 2121 State Route 332, Town of Canandaigua, NY (Tax Map No. 56.00-1-57.000) and more particularly described in Schedule C attached hereto and made a part hereof (the "Property"). The Owner hereby acknowledges and agrees that the Property shall be operated and maintained in accordance with the operation and maintenance plan set forth in Schedule A, Schedule B, and Schedule C attached hereto and made a part hereof.

This restrictive covenant shall run with the land and be binding on the successors and assigns of the owner.

DATED EFFECTIVE the day and year written above.

IN WITNESS WHEREOF, the Owner has caused their signatures to be affixed hereto.

By: _____

State of New York)

County of Ontario) ss.:

On the _____ day of _____ the year _____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed on the _____ and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE A

STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

The facility owner desires that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, and replaced and continued in perpetuity in order to ensure optimum performance of the components. Therefore, facility owner agrees as follows:

1. This document binds the facility owner, its successors and assigns, to the maintenance provisions depicted in the approved project plan which is attached as Schedule C of this agreement.
2. The facility owner shall maintain, clean, repair, replace and continue the stormwater control measures as described in Schedule B and as depicted on Schedule C as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, drain inlets, pipes, culverts, bioretention basins, and ponds.
3. The facility owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.
4. The facility owner shall provide for the periodic inspection of the stormwater control measures, not less than once every five-year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the facility owner within 20 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.
5. Periodic inspection of ponds and bioretention basins shall include items as listed in attached Schedule B.
6. The facility owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the agencies having jurisdiction.
7. The facility owner shall undertake necessary repairs and replacement of the stormwater control measures in accordance with the recommendations of the inspecting engineer.
8. This agreement shall be recorded in the Office of the County Clerk, County of Ontario, together with the deed for the common property.
9. This agreement is effective _____, 2022.

SCHEDULE B

STORMWATER MAINTENANCE RESPONSIBILITIES

Long term operation and maintenance of the stormwater management system shall be provided by the owner.

- Turf areas shall be maintained and or reseeded to protect against erosion.
- Fertilizers shall be applied in order to maintain a healthy lawn and to promote longevity. All fertilizers shall be applied per the manufactures recommendations.
- Any turf area disturbed after construction is completed shall be seeded or mulched (in landscaped) areas immediately and water shall be applied on a daily basis (either naturally by rain water or manually by tap water) until adequate seed germination has occurred.
- Pond areas shall be inspected periodically and the following maintenance problems shall be immediately corrected:
 - ◇ Embankment erosion
 - ◇ Embankment slippage
 - ◇ Emergency spillway erosion
 - ◇ Embankment seepage
 - ◇ Spillway obstructions
 - ◇ Trash rack obstructions
 - ◇ Forebay sediment accumulation (50% of design depth)
 - ◇ Riprap failures
 - ◇ Floating debris
- The pond forebay pools shall be inspected after the spring snowmelt. The forebay pools shall be excavated back to their original depths when the pools have become 50% filled with sediment.
- The pond micropool shall be inspected after the spring snowmelt. The micropool shall be excavated back to their original depths when the pools have become 50% filled with sediment.
- The pond inspections and maintenance shall meet the requirements of the “Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist”, as published in Appendix “G” of the New York State Stormwater Management Design Manual, latest edition, at a minimum.
- Drainage swales shall be inspected and ditch erosion shall be immediately repaired.
- Bioretention basins shall be inspected to verify operation of underdrain pipes and to assess wetland plant vitality. If necessary, underdrains should be flushed clean and wetland plants and mulch replaced.
- The Property Owner will maintain a copy of any stormwater management system inspection checklists and reports prepared by themselves, their employees, or their consultants onsite in an organized file folder or binder for a minimum of seven (7) years. These reports shall be made available for inspection by the Town of Canandaigua upon request.

SCHEDULE C

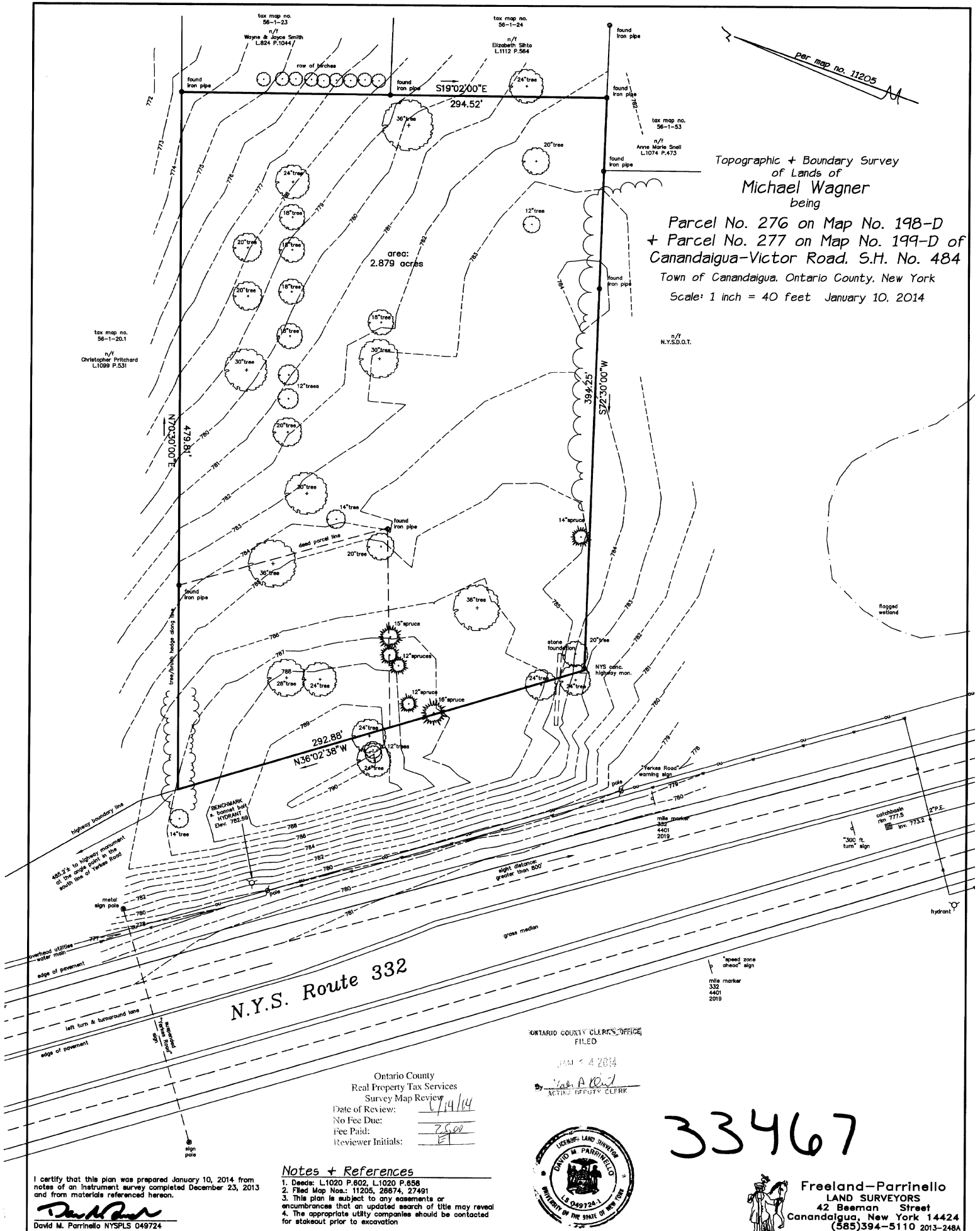
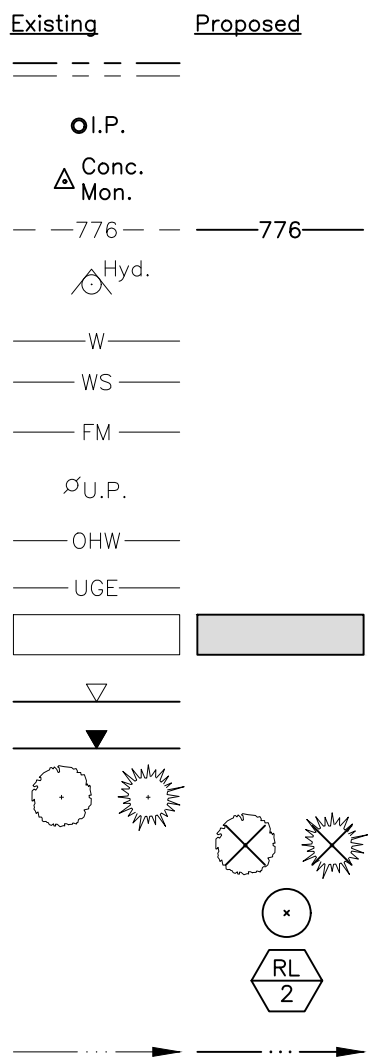


Exhibit A

Dwg. S-1, Site Plan
Dwg. D-1, Miscellaneous Details

LEGEND



PROJECT INFORMATION

General Information

Owner/Developer: Kevin Degraw
Frontenac Holding, LLC
21 Basin Street
Union Springs, NY 13160

Property Address: 2121 State Route 332

Property T.A.N.: 56.00-1-57.000

Property Size: 2.879 acres

Zoning Information

District: CC Community Commercial Residential

Permitted Use: Vehicle Sales

Existing Use: Boat Sales in 2,400 s.f. building

Zoning Regulations:

Min. Front Setback:	150'	Existing	150.00'
Min. Rear Setback:	40'		255.48'
Min. Side Setback:	20' to 100'		28.07'
Max. Building Height:	35'		28'
Max. Building Coverage:	50%		1.9%

Parking Calculation:

Required: 1 space per 300 s.f. of gross floor area with a minimum of 10 spaces

Provided: 10 spaces

CANANDAIGUA RIGHT TO FARM NOTE

This property may be near a farm, as defined in the New York State Agriculture and Markets Law, § 301, Subsection 11. Sound farming practices may generate dust, odor, smoke, noise, and vibration.

GENERAL NOTES

- The plans show subsurface structures, above ground structures and/or utilities from field location and record mapping. exact location of which may vary from the locations indicated. In particular, the Contractor is warned that the exact or even approximate location of such pipelines, subsurface structures and/or utilities in the area may be different from that shown or may not be shown and it is his responsibility to proceed with great care in executing any work. Call Dig Safely New York, telephone 811, 48 hours before you dig, drill or blast.
- This property is not located within a 100-year floodplain (Flood Zone X per FEMA Community Panel No. 360598 0005 C, effective date March 3, 1997).
- This property does not contain federal or state wetland areas or the 100' buffer to wetland areas.
- The Contractor shall locate, mark, safeguard, and preserve all survey control monuments in the areas of construction.
- This property is located within 500 feet of Agricultural District #1.
- This property is located within the Canandaigua City School District, the Canandaigua Fire Protection District, and the Canandaigua-Farmington Water District.
- The property lines and right-of-way lines shown on the plans are for information only, and no warranty is made as to their correctness.
- The Contractor shall maintain in service all existing sewers, culverts, ditches, manholes, and catch basins during construction.
- Construction Stakeout: The Contractor is responsible for all construction stakeout as shown on the plans.
- Traffic shall be maintained throughout construction. Ingress and egress to driveways, parking lots, and service roads shall be continuously maintained throughout the period of construction.
- The Contractor shall take care to prevent damage to existing utilities. Damaged utilities shall be immediately repaired by the Contractor at the Contractor's expense.
- All proposed utilities and appurtenances shall be constructed in compliance with the local municipalities' codes and regulations governing the installation of such utilities.
- The Contractor shall be responsible for obtaining and incurring the cost of all required permits, inspections, certificates, etc. and shall comply with all required permits.
- All work shall be done in strict compliance with all applicable National, State, and local codes, standards, ordinances, rules, and regulations.
- Miscellaneous work not specifically shown on the contract drawings such as patching, blocking, trimming, etc. shall be performed as required to make the work complete.
- It is the Contractor's responsibility to examine all plan sheets and coordinate work with all other contracts for the site.
- The Engineer shall be notified in writing of any conditions that vary from those shown on the plans. The Contractor's work shall not vary from the plans without the expressed approval of the Engineer.
- The Contractor shall restore lawns, driveways, culverts, signs, and other public or private property damaged or removed to at least as good a condition as before being disturbed as determined by the Engineer. Any damaged trees, shrubs, and/or hedges shall be replaced at the Contractor's expense.
- Unsuitable material shall be removed from the site and properly disposed.
- At the time of completion and acceptance of the work, all areas disturbed by the Contractor's operations shall be finished, graded, topsoiled, and seeded per the specifications.
- All improvements shall be in accordance with the most recent standards and specifications of the Town of Canandaigua.
- All work within the State highway boundaries will require approval and a permit from the New York State Department of Transportation.
- All site lighting shall be compliant with the Town Code Chapter 105, Section 805.
- All erosion control measures shall be installed by the developer and inspected by the Town Code Enforcement Officer or his/her representative prior to any permits being issued.
- The northern portion of this parcel is comprised of Cayuga silt loam soil. The southern portion of this parcel is comprised of Collamer silt loam soil.
- All future expansion projects will require additional WQv and RRV mitigation and quantity controls.

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

- Developer shall install erosion and siltation control measures during construction to prevent off-site transport and deposition of materials.
- The temporary erosion/sedimentation control measures depicted on the site plan shall be supplemented with additional controls if found necessary during construction. Developer is responsible for establishing the controls during construction, and removing the controls following re-establishment of ground cover. Ground cover shall be established within 30 days of completion of final grading.
- Straw bale sediment traps shall be placed as shown on the plan and as needed during construction.
- All sedimentation control structures shall remain in effective operating condition.
- All disturbed areas shall be stabilized immediately following removal of sediment control structures.
- All points of construction ingress and egress shall be protected to prevent tracking of mud onto public ways.
- Roof downspouts shall direct water away from the building.
- In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control.
- Temporary Seed Mix (2# per 1,000 s.f.)**
Annual Ryegrass 50% by weight (90% purity)
Tall Fescue 50% by weight (90% purity)
Permanent Seed Mix (5# per 1,000 s.f.)
Kentucky Bluegrass 45% by weight (85% purity)
Red Fescue 40% by weight (95% purity)
Common Ryegrass 15% by weight (95% purity)
Lawn Fertilizer (5# per 1,000 s.f.)
Straw Mulch (75% ground coverage)
- No Phosphorus shall be used at planting time unless soil testing has been completed and tested by a Horticultural Testing Lab and the soil tests specifically indicate a phosphorus deficiency that is harmful, or will prevent new lawns and plantings from establishing properly.
- If soil tests indicate a phosphorus deficiency that will impact plant and lawn establishment, phosphorus shall be applied at the minimum recommended level prescribed in the soil test following all NYSDEC regulations.
- The dry well and rain gardens shall be constructed after all upstream areas have been fully stabilized. The locations of the dry well and rain gardens shall be delineated with orange construction fence to prevent vehicle tracking in these areas.

CONSTRUCTION SEQUENCE

- Install silt fence at the locations indicated on the plan.
- Install stabilized construction entrance.
- Strip topsoil and place it within the designated storage areas or remove it from the site.
- Mass grade the development area including the pond.
- Fine grade all pavement subgrade areas and place geotextile fabric and stone base course material.
- Fine grade, topsoil, seed, and mulch all areas that will not require future disturbance.
- Construct the pond outlet control structure and flow diffuser.
- Following construction of pavements, topsoil, seed, and mulch all remaining disturbed areas.
- Following establishment of a healthy growth of turf within all disturbed areas, remove the silt fence.

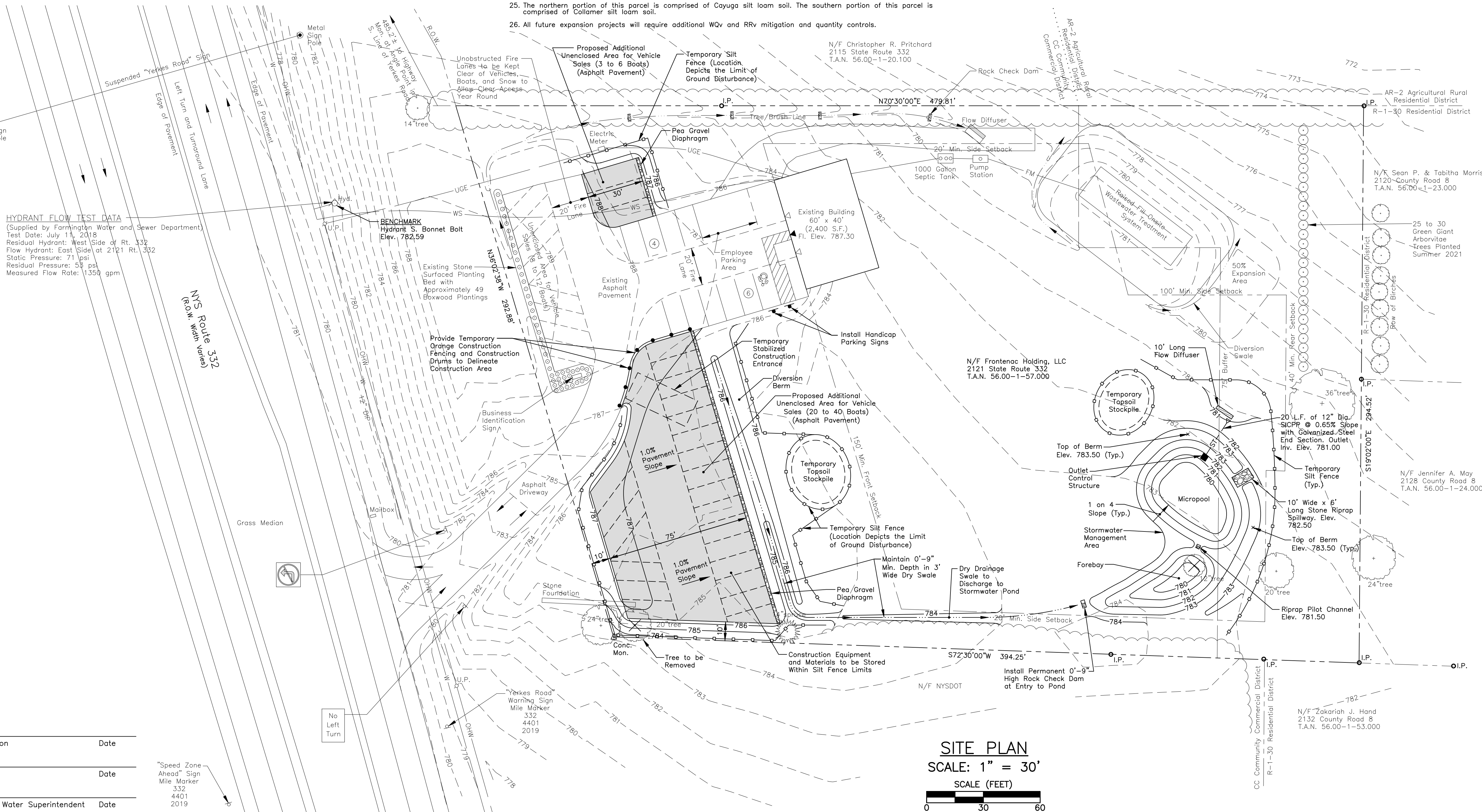
CONSTRUCTION PRACTICES

- Litter and construction debris will be picked up on a daily basis and placed within covered trash receptacles.
- Construction materials that are temporarily stored in the work area will be secured with straps or anchors, or covered to prevent wind transport.
- All points of entry into the storm drainage system will be screened to prevent entry of litter or debris.
- Construction chemicals and hazardous substances will be stored in accordance with all applicable environmental regulations. The contractor will have appropriate spill containment devices on the jobsite at all times.

MAP AND SURVEY NOTES

- This plan was prepared using a survey map entitled "Topographic and Boundary Survey of Lands of Michael Wagner" prepared by Freeland-Parrinello Land Surveyors dated January 10, 2014, and from field measurements obtained from Thornton Engineering in August 2021. Vertical datum is approximate North American Vertical Datum 1988 (NAVD88). Horizontal Datum is NAD-83.

Proposed Area of Ground Disturbance = 0.60 Acres



APPROVALS

Planning Board Chairperson	Date
Town Engineer	Date
Canandaigua-Farmington Water Superintendent	Date

"Speed Zone Ahead" Sign
Mile Marker
332
4401
2019

REVISIONS

NO.	DESCRIPTION	DATE	BY
1	PRC COMMENTS	09/15/21	GFT
2	TOWN ENGINEER COMMENTS	10/19/21	GFT
3	PLANNING BOARD COMMENTS	01/27/22	GFT

NOT APPROVED FOR CONSTRUCTION

It is a violation of New York State Education Law Article 145 Section 7209 for any person, unless he or she is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his or her seal and the notation "altered by" followed by his or her signature and the date of such alteration, and a specific description of the alteration.

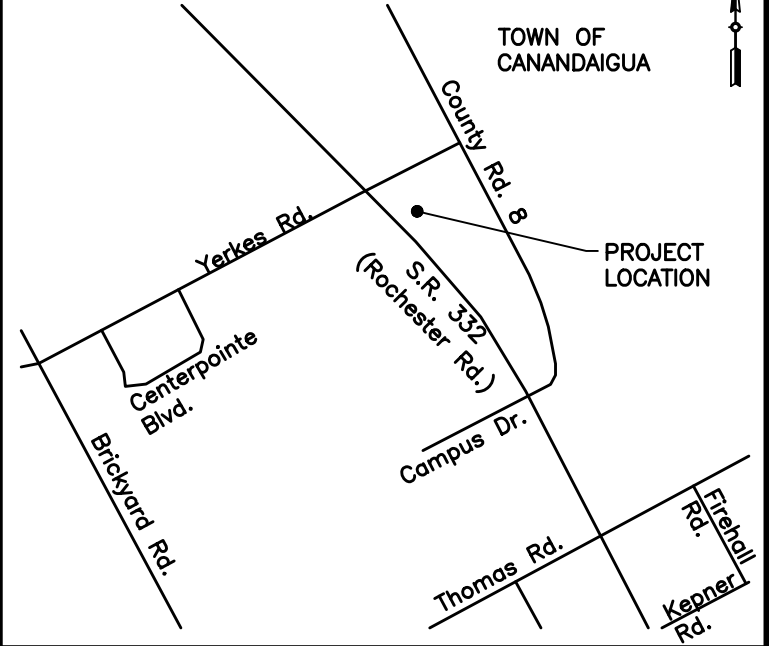
THORNTON
ENGINEERING LLP

30 Assembly Drive, Suite 106
Mendon, New York 14506
Tel. 585-624-4810
Consultant Engineers



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LOCATION MAP:



PROJECT NAME:

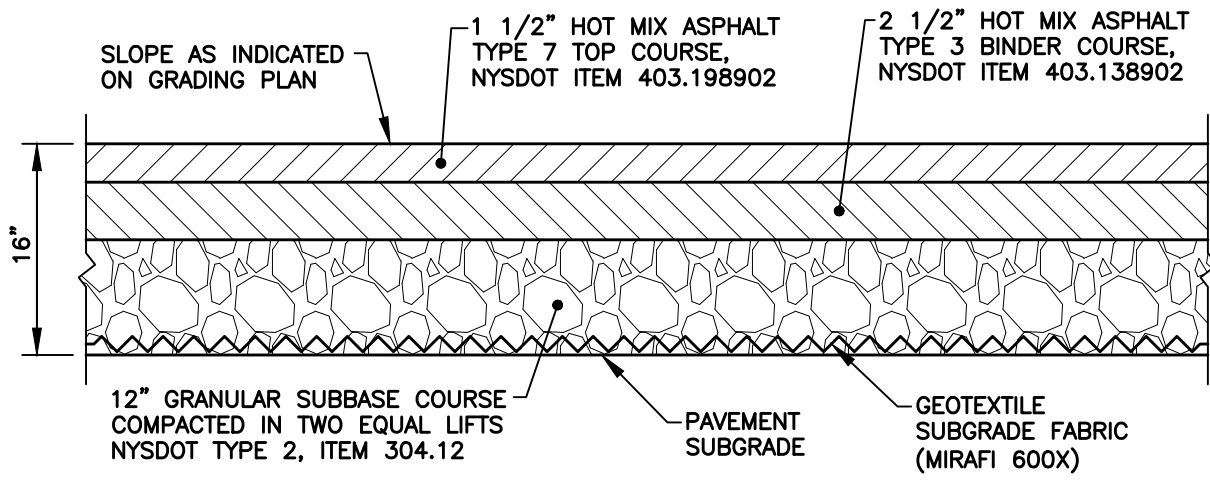
Boat Display Expansion

FLX Marine
2121 State Route 332
Town of Canandaigua
Ontario County, NY

DRAWING TITLE:

Site Plan

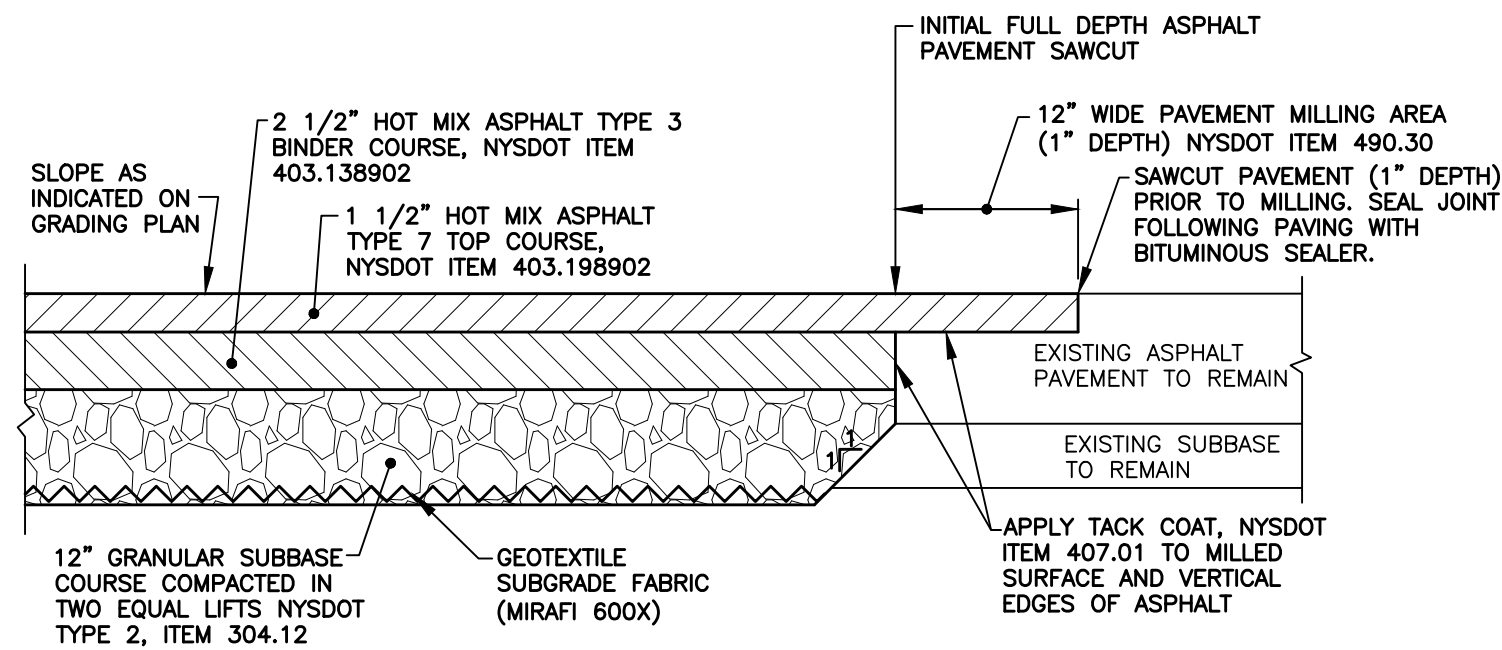
FILE NAME: SITEPLAN.DWG	DESIGNED BY: GFT
DRAWN BY: HKT	CHECKED BY: GFT
APPROVED BY: GFT	DATE: SEPTEMBER 2021
SCALE: 1" = 30'	PROJECT NO.: 21-850
SHEET NO.: 1 OF 3	DRAWING NO.: S-1



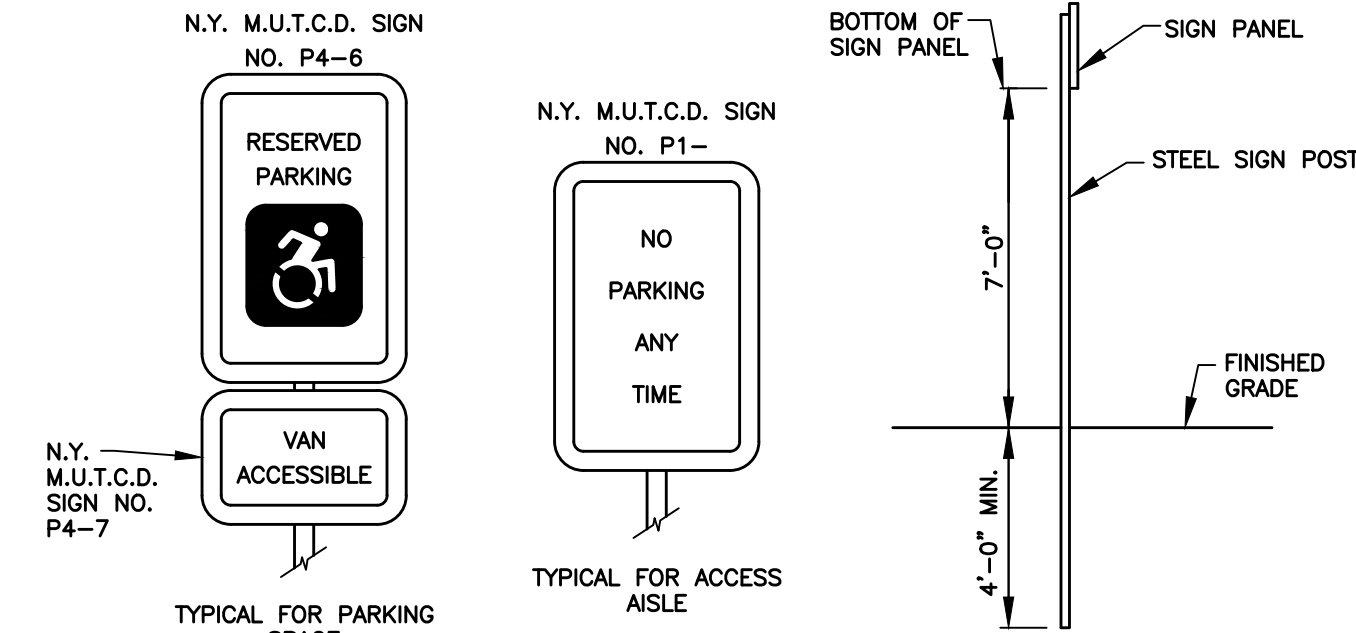
NOTES

- PAVEMENT SUBGRADE AREAS SHALL BE COMPACTED TO A DEPTH OF SIX INCHES AND TO A DENSITY OF NOT LESS THAN 95% OF THE MAXIMUM DENSITY AS DETERMINED BY ASTM D-1557.
- EXISTING TOPSOIL (6" MINIMUM THICKNESS) SHALL BE REMOVED FROM ALL PROPOSED PAVEMENT AREAS. AREAS BELOW THE PAVEMENT SUBGRADE SHALL BE FILLED WITH COMPACTED GRANULAR SUBBASE COURSE.

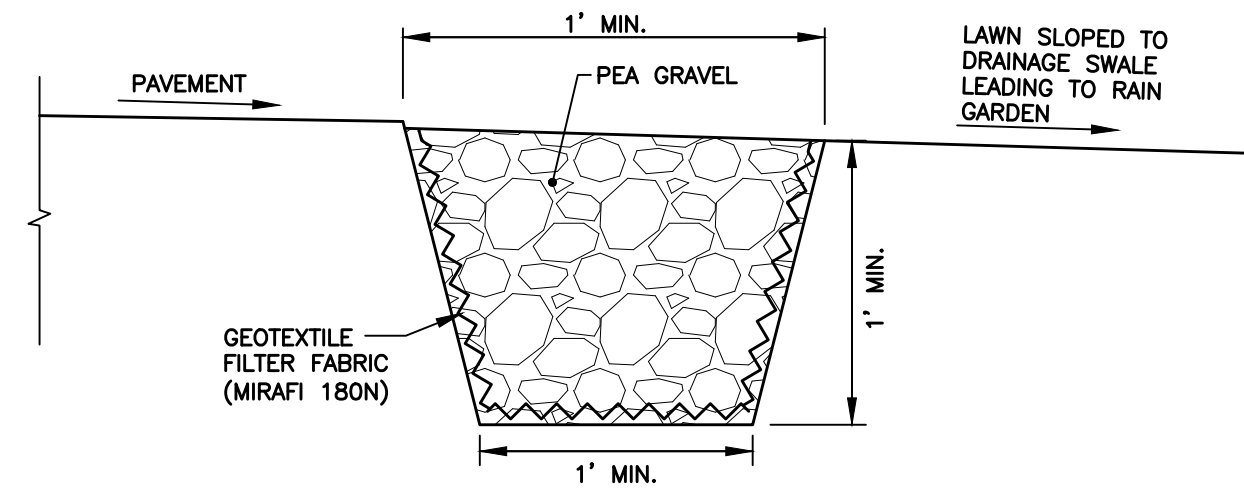
ASPHALT PAVEMENT
NOT TO SCALE



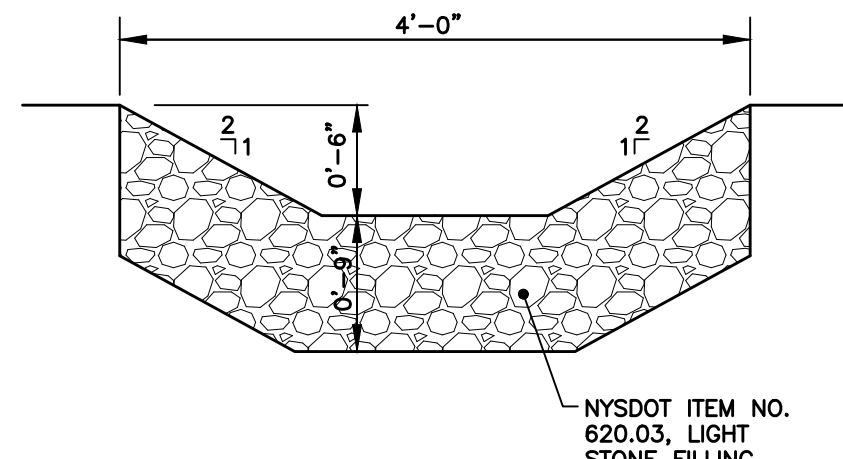
PAVEMENT TRANSITION
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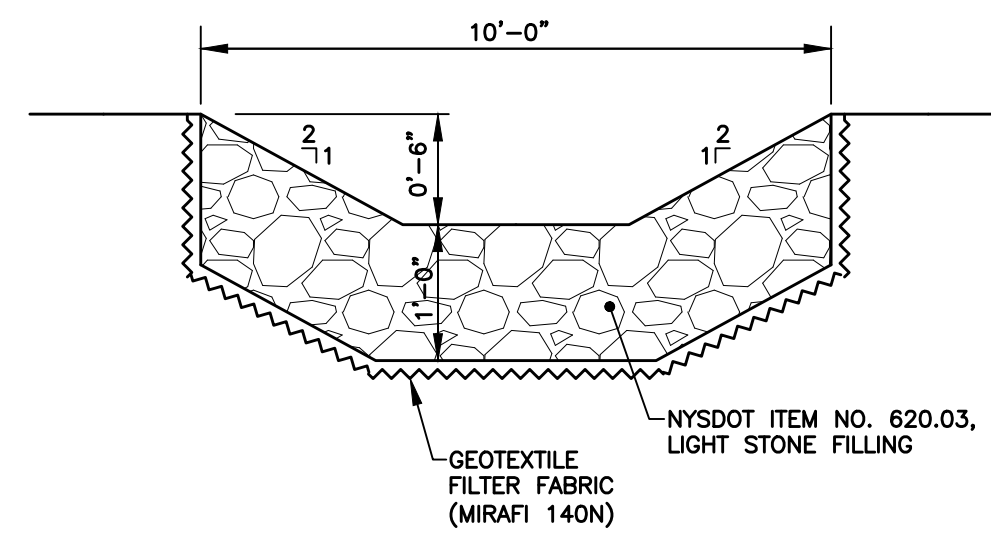
HANDICAP PARKING SIGNS
NOT TO SCALE



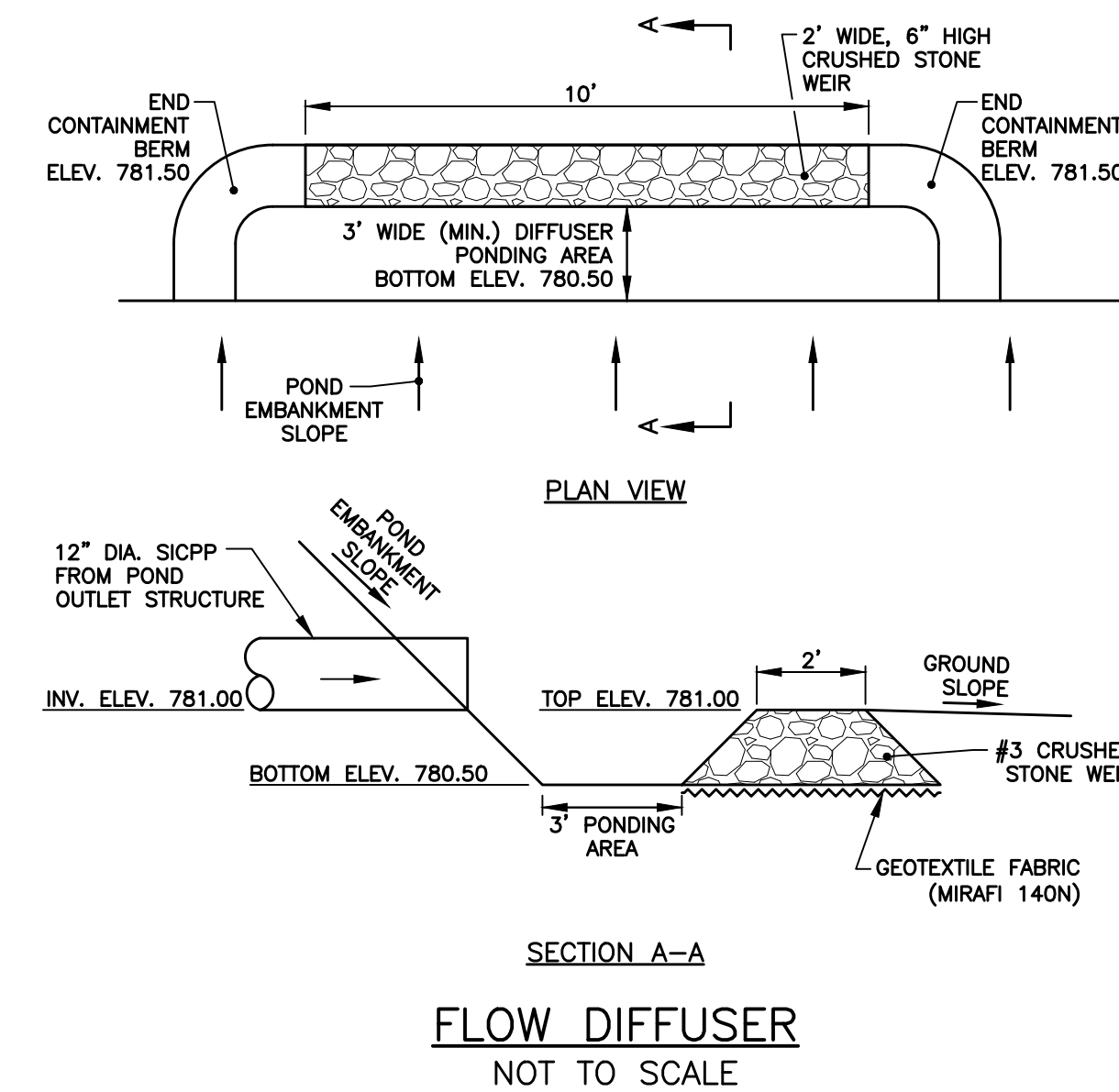
PEA GRAVEL DIAPHRAGM
NOT TO SCALE



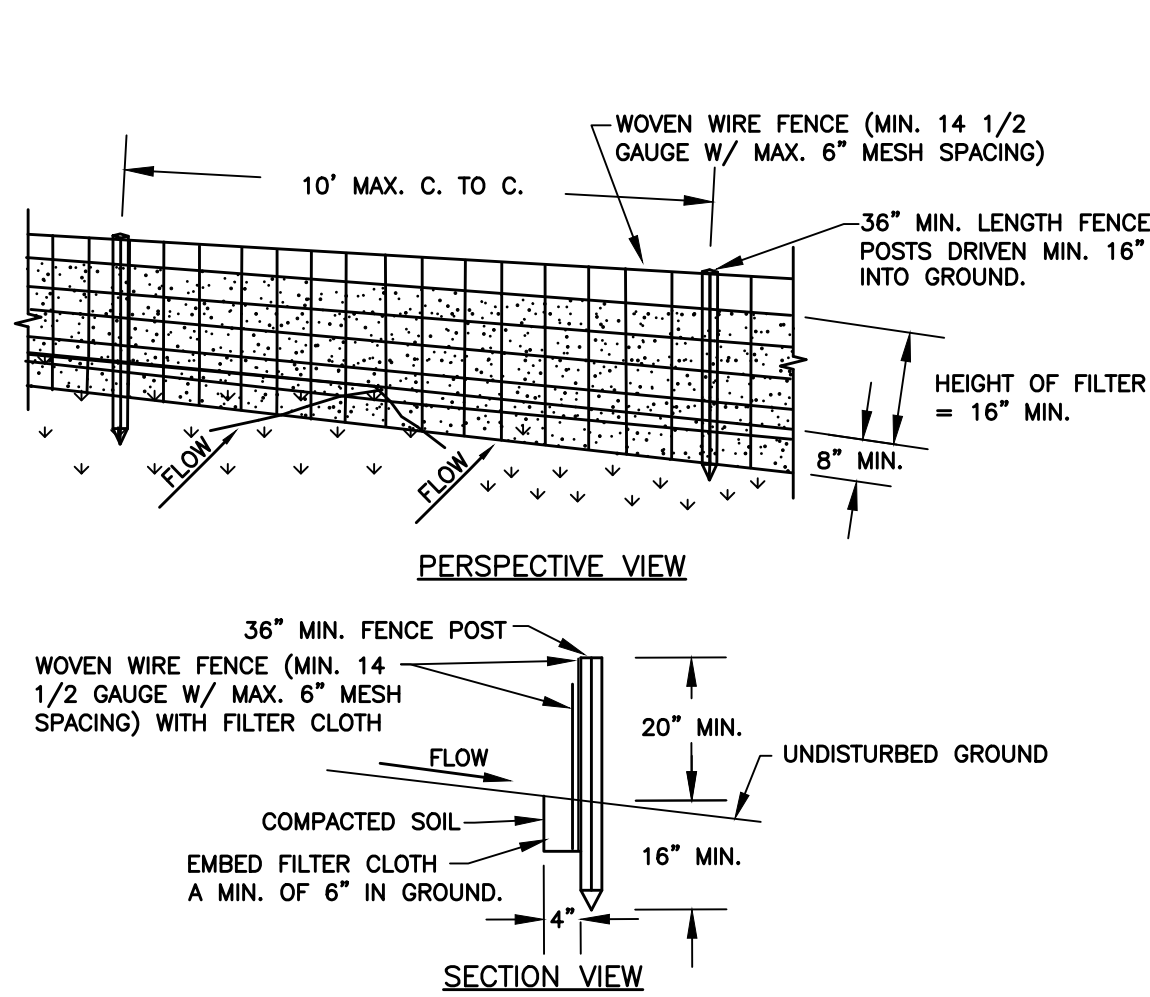
RIPRAP PILOT CHANNEL
NOT TO SCALE



STONE RIPRAP SPILLWAY
NOT TO SCALE



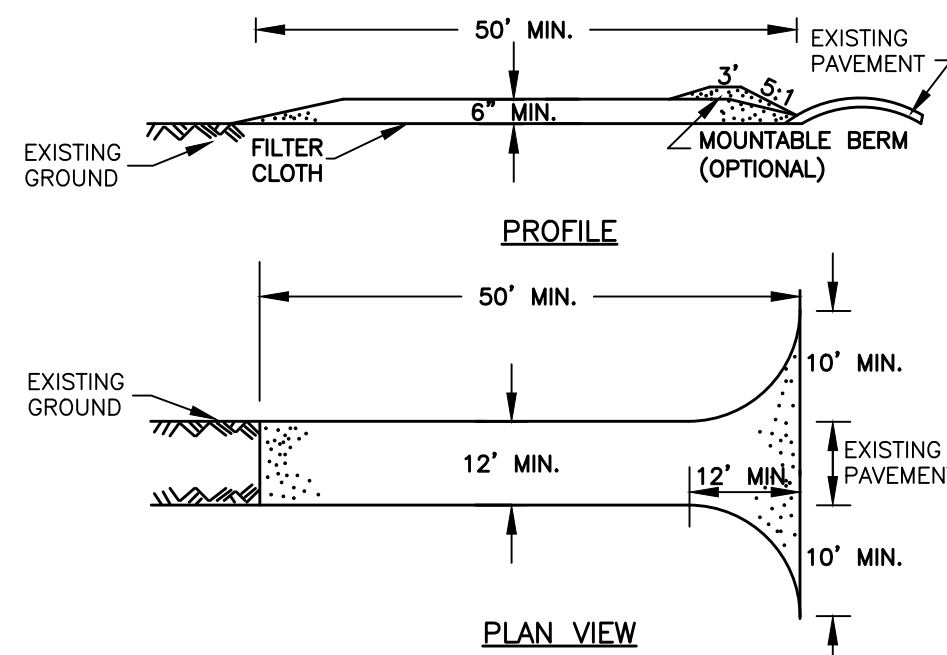
FLOW DIFFUSER
NOT TO SCALE



CONSTRUCTION SPECIFICATIONS

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
- FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6" AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
- PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

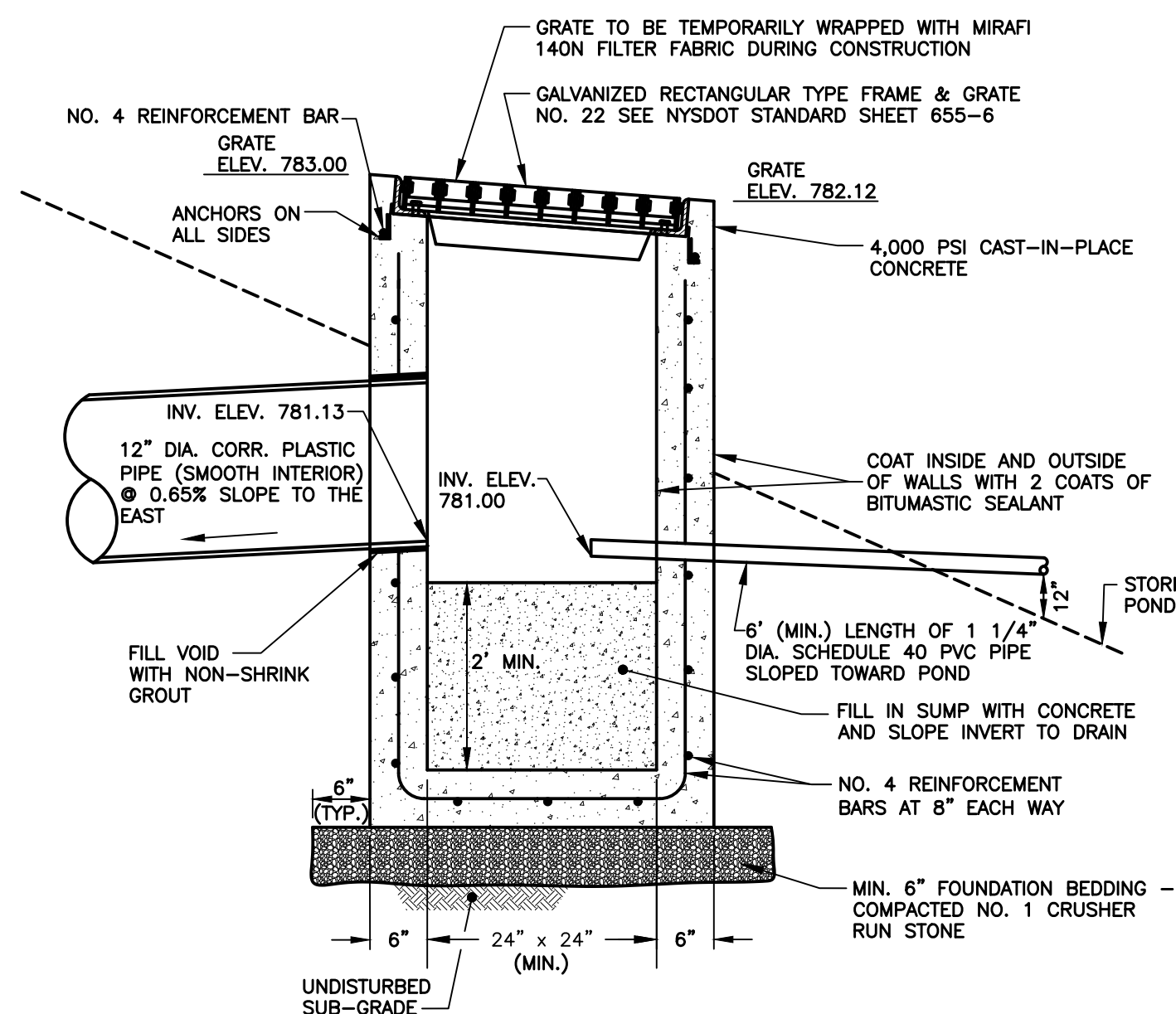
SILT FENCE
NOT TO SCALE



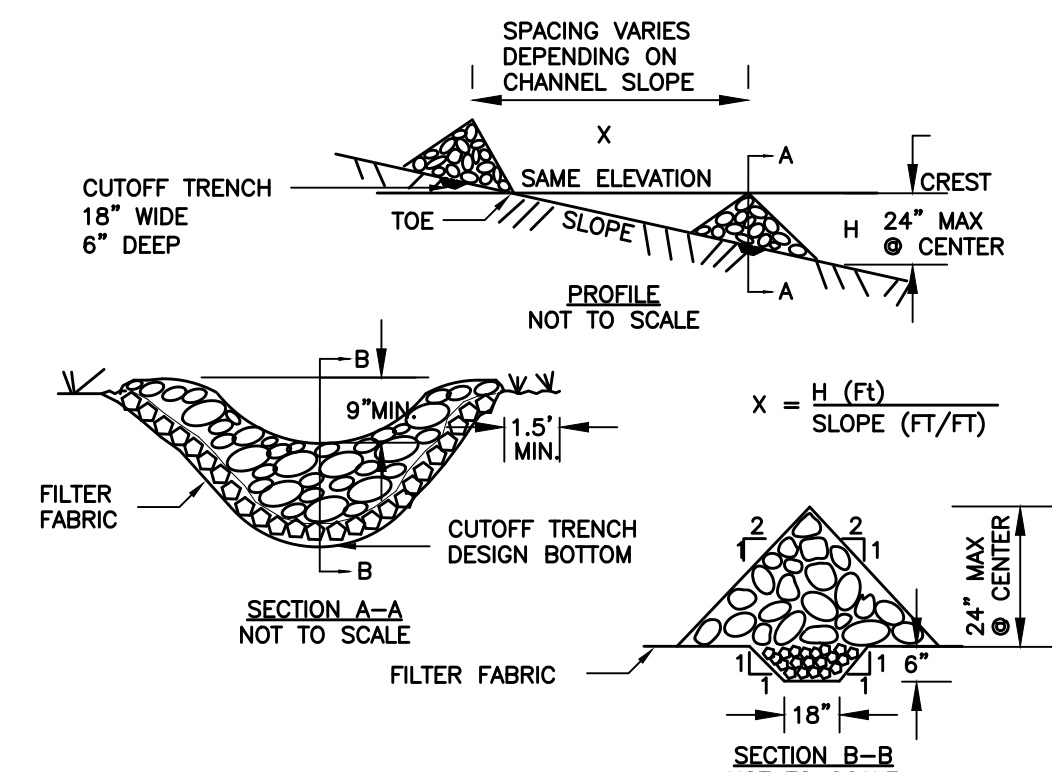
CONSTRUCTION SPECIFICATIONS

- STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- LENGTH - NOT LESS THAN 50' (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30' MINIMUM LENGTH WOULD APPLY).
- THICKNESS - NOT LESS THAN 6".
- WIDTH - 12' MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. 24" IF SINGLE ENTRANCE TO SITE.
- FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
- MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



OUTLET CONTROL STRUCTURE
NOT TO SCALE



CONSTRUCTION SPECIFICATIONS

- STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATIONS SHOWN IN THE PLAN.
- SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
- EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
- PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
- ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE. MAXIMUM DRAINAGE AREA 2 ACRES.

ROCK CHECK DAM
NOT TO SCALE

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	PRC COMMENTS	09/15/21	GFT
2	TOWN ENGINEER COMMENTS	10/19/21	GFT
3	PLANNING BOARD COMMENTS	01/27/22	GFT
NOT APPROVED FOR CONSTRUCTION			
<p>It is a violation of New York State Education Law Article 145 Section 7209 for any person, unless he or she is acting under the direction of a licensed professional engineer or land surveyor, to alter an item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his or her seal and the notation "altered by" followed by his or her signature and the date of such alteration, and a specific description of the alteration.</p>			
<p>THORNTON ENGINEERING LLP</p> <p>30 Assembly Drive, Suite 106 Mendon, New York 14506 Tel. 585-624-4810 Consultant Engineers</p>			
<p>ALL RIGHTS RESERVED: No part of this document may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means electronic, mechanical, photocopying, recording, or otherwise without the prior written authorization of Thornton Engineering LLP. COPYRIGHT © Thornton Engineering LLP, 2021</p>			
<p>LOCATION MAP:</p> <p>TOWN OF CANANDAIGUA</p> <p>County Rd. 6</p> <p>Yates Rd.</p> <p>Rockmaster Rd.</p> <p>Campus Dr.</p> <p>Thomas Rd.</p> <p>Knappa Rd.</p> <p>PROJECT LOCATION</p>			
PROJECT NAME:			
<p>Boat Display Expansion</p> <p>FLX Marine 2121 State Route 332 Town of Canandaigua Ontario County, NY</p>			
DRAWING TITLE:			
<p>Miscellaneous Details</p>			
FILE NAME: DETAILS.DWG	DESIGNED BY: GFT		
DRAWN BY: HKT	CHECKED BY: GFT		
APPROVED BY: GFT	DATE: SEPTEMBER 2021		
SCALE: NOT TO SCALE	PROJECT NO.: 21-850		
SHEET NO.: 3 OF 3	DRAWING NO.: D-1		

Exhibit B

Construction Stormwater Inspection Report

ATTACHMENT 1

Construction Stormwater Compliance Inspection Report

Project Name and Location:	Date:	Page 1 of 2
Municipality: County:	Permit # (if any): NYR	
	Entry Time:	Exit Time:
On-site Representative(s) and contact information:	Weather Conditions:	
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: Contacted: Yes <input type="checkbox"/> No <input type="checkbox"/>		

INSPECTION CHECKLIST

SPDES Authority

Law, rule or permit citation

Yes No N/A

1. ☐ ☐ ☐ Is a copy of the NOI posted at the construction site for public viewing?
2. ☐ ☐ ☐ Is an up-to-date copy of the signed SWPPP retained at the construction site?
3. ☐ ☐ ☐ Is a copy of the SPDES General Permit retained at the construction site?

SWPPP Content

Law, rule or permit citation

Yes No N/A

4. ☐ ☐ ☐ Does the SWPPP describe and identify the erosion & sediment control measures to be employed?
5. ☐ ☐ ☐ Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures?
6. ☐ ☐ ☐ Does the SWPPP describe and identify the post-construction SW control measures to be employed?
7. ☐ ☐ ☐ Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?
8. ☐ ☐ ☐ Does the SWPPP include all the necessary 'CONTRACTOR CERTIFICATION' statements?
9. ☐ ☐ ☐ Is the SWPPP signed/certified by the permittee?

Recordkeeping

Law, rule or permit citation

Yes No N/A

10. ☐ ☐ ☐ Are inspections performed as required by the permit (every 7 days and after 1/2" rain event)?
11. ☐ ☐ ☐ Are the site inspections performed by a qualified professional?
12. ☐ ☐ ☐ Are all required reports properly signed/certified?
13. ☐ ☐ ☐ Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status?

Visual Observations

Law, rule or permit citation

Yes No N/A

14. ☐ ☐ ☐ Are all erosion and sediment control measures installed/constructed?
15. ☐ ☐ ☐ Are all erosion and sediment control measures maintained properly?
16. ☐ ☐ ☐ Have all disturbances of 5 acres or more been approved prior to the disturbance?
17. ☐ ☐ ☐ Are stabilization measures initiated in inactive areas?
18. ☐ ☐ ☐ Are permanent stormwater control measures implemented?
19. ☐ ☐ ☐ Was there a discharge into the receiving water on the day of inspection?
20. ☐ ☐ ☐ Are receiving waters free of there evidence of turbidity, sedimentation, or oil ? (If no , complete Page 2)

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector:	Signature of Lead Inspector:
Names/Agencies of Other Inspectors:	

Describe the discharge(s) [source(s), impact on receiving water(s), etc.] _____

Describe the quality of the receiving water(s) both upstream and downstream of the discharge _____

Describe any other water quality standards or permit violations _____

Additional Comments: