

# OSWEGO CANAL CORRIDOR BOA

## APPENDIX G: STORM WATER POLLUTION PREVENTION PLAN

NOVEMBER 2019



**BERGMANN**  
ARCHITECTS ENGINEERS PLANNERS

## BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS – OSWEGO, NY STORMWATER POLLUTION PREVENTION PLAN (SWPPP)



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## **Appendix A**

# **Written Storm Water Pollution Prevention Plan**



## **Stormwater Pollution Prevention Plan (SWPPP) Breitbeck Park Lower Harbor Trail Improvements – Oswego, NY**

The following information is required to be included on the SWPPP site map by the SPDES General Permit for Construction Activity, (GP-0-15-002):

1. Direction(s) of storm water flow and approximate slopes anticipated after major grading activities.
2. Total areas of soil disturbance and areas that will not be disturbed.
3. Locations of major structural and nonstructural BMPs identified in the SWPPP.
4. Locations where stabilization practices are expected to occur.
5. Locations of off-site material, waste, borrow and equipment storage areas.
6. Locations of all Waters of the United States (including Wetlands and surface waters of the state).
7. Locations where storm water discharge to a surface water and/or discharge to MS4.
8. Areas where final stabilization has been accomplished and no further construction-phase permit requirements apply.

## **INSTRUCTIONS TO OWNER/OPERATOR/OPERATORS ENGINEER AND CONTRACTORS**

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### **Responsibilities for Compliance with Storm Water Discharge Permit Regulations at Construction Sites**

Operator's Engineer's Responsibilities:

1. Prepare the SWPPP using good engineering practices, Best Management Practices, and in compliance with all federal, state and local permit requirements. This preparation shall also include providing a description of the Project as it relates to site ownership and development responsibilities.
2. Participate at the pre-construction meeting with Contractor and appropriate subcontractors, which should include a review with all parties the requirements of the SWPPP, if requested by Operator.
3. Review Contractor's SWPPP records on a periodic basis to ensure compliance with requirements for reports and inspection and maintenance logs, if requested by Operator.
4. Certify to Operator the Contractor's compliance with SWPPP record keeping requirements, if requested by Operator.



Operator's Responsibilities:

1. Require the Contractor to implement fully the SWPPP prepared for the site by the Operator's Engineer.
2. Ensure (through periodic observations by Operator's Project Manager) and document that the Contractor is implementing the controls, inspections, maintenance, record-keeping, and all other requirements of the SWPPP.
3. File an appropriately signed Notice of Termination ("NOT") form when site work construction is completed and stabilization is achieved.
4. Request and receive all SWPPP records from the Contractor and archive those records for a minimum of five (5) years after the NOT is filed.

Contractor's Responsibilities:

1. Sign the SWPPP Contractor's Certification Form in the SWPPP prepared for the Project (Appendix F).
2. Provide subcontractor training and require all subcontractors to sign the Subcontractor's Certification Form in the SWPPP prepared for the Project (Appendix F).
3. Implement the Erosion and Sediment Control Plans, and other requirements of the SWPPP.
4. Provide Trained Individuals, and documentation of qualifications, for the controls implemented at the Project.
5. Keep a copy of the SWPPP, Materials Management Process (MMP), inspection records, and other required records on the Project.
6. Post in a prominent place at the Project entrance and inside the job trailer office wall those documents required to be posted under the terms of the Construction General Permit including, the NOI (Appendix D).
7. Update and make changes to the SWPPP and supporting documents (such as the BMPs) as needed and with the approval of the Operator and the Operator's Engineer.



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## **I SCOPE**

- a. **PURPOSE:** Development and proper implementation of the New York State Department of Environmental Conservation (NYSDEC), State Pollutant Discharge Elimination System (SPDES) Construction General Permit governing stormwater discharges during construction, and in accordance with Erosion and Sediment Control practices is critical. The Contractor's participation in this program is mandatory and its non-compliance is subject to various remedies, including without limitation, monetary set-offs, withholding payments; reimbursement for costs, expenses (including reasonable attorney's fees), fines and civil penalties incurred by the Operator. This section provides a descriptive explanation of the Storm Water Pollution Prevention Program and required Contractor participation.
- b. **RESPONSIBILITIES OF CONTRACTOR REGARDING THE CONSTRUCTION GENERAL PERMIT:** The Contractor shall manage the discharge of stormwater from the site in accordance with the NYSDEC General Permit for Stormwater Discharges from Construction Activities and the following provisions:
  1. The Contractor shall be responsible for conducting the Storm Water Management **practices in accordance with the permit.**
  2. The Contractor shall be responsible for any enforcement action taken or imposed by federal, state, or local agencies, including the cost of fines, construction delays, and remedial actions resulting from the Contractor's failure to comply with the permit provisions.
- c. **PRE-CONSTRUCTION MEETING:** A Pre-Construction SWPPP Meeting occur before any land disturbing activities are started. If a pre-construction SWPPP meeting is held it should include a review and explanation of the following topics:
  - Erosion and sediment control for water quality protection
  - Implementation of Erosion and Sediment Control Plans
  - The importance of proper installation of erosion and sediment control measures
  - Regular inspection by **Qualified Inspector** of erosion and sediment control measures
  - Diligent maintenance to erosion and sediment control measures
  - Contemporaneous preparation of accurate and complete records regarding inspection and maintenance of erosion and sediment control measures
  - Record-keeping for inspections and maintenance activities
- d. **SWPPP CERTIFICATION REQUIREMENTS FOR THE CONTRACTOR AND SUBCONTRACTOR(S):** The SWPPP shall provide forms for both the Contractor and Subcontractor(s) identifying the Company Name, Business Address and Telephone Number along with the Responsible Person for the Contractor and all subcontractors' who will implement the measures identified in the SWPPP. **The Contractor shall sign, the Contractor's Certification Statement (Appendix F) and all Subcontractors shall sign the Subcontractor's Certification Statement (Appendix F) verifying they have been instructed on how to comply with and fully understand the requirements of the NYSDEC and SWPPP. These certifications must be signed, by a responsible corporate officer or other party meeting the "Signatory Requirements" in Part VII Section H & Part III.A.5. of the NYS DEC SPDES General Permit for Stormwater Runoff from**



**construction Activity (GP-0-15-002), on behalf of each entity, prior to the beginning of any Construction Activities and shall be filed in the Project's SWPPP.**

- e. **SWPPP LOCATION REQUIREMENTS:** The SWPPP Ledger is meant to be a working document that shall be maintained at the site of the Construction Activities at all times throughout the Project, shall be readily available upon request by the Operator's personnel or NYSDEC or any other agency with regulatory authority over storm water issues, and shall be kept on-site until the site complies with the Final Stabilization section of this document. A copy of the General Permit (GP-0-15-002), NOI, NOI Acknowledgment Letter, and inspection reports shall be maintained at the construction site until all disturbed areas have achieved final stabilization and the Notice of Termination 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; that is accessible during normal working hours to an individual performing a compliance inspection.
- f. **SWPPP MODIFICATIONS:** The inspection report should also identify if any revisions to the SWPPP are warranted due to unexpected conditions. The SWPPP is meant to be a dynamic working guide that is to be kept current and amended whenever:
  - 1. There is a change in design, construction, operation, or maintenance at the construction site that has or could have a significant effect on the discharge of pollutants to the Waters of the United States that has not been previously addressed in the SWPPP. In addition to modifying the SWPPP, the site map may also require an amendment.
  - 2. Inspections or investigations by site staff, or by local, state or federal officials, determine that the discharges the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site. Modifications that are the result of an inspection must be initiated within 24 hours and completed within 48 hours.
  - 3. Based on the results of an inspection, it must be modified as necessary to include additional or modified BMPs designed to correct problems identified. Revisions to the SWPPP must be completed within seven (7) calendar days following the inspection.
  - 4. There is a release containing a Hazardous Substance or Oil in an amount equal or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117 or 40 CFR Part 302 occurs during a 24 hour period. Revisions to the SWPPP must be completed within seven (7) calendar days of knowledge of the release.
- g. **FINAL STABILIZATION AND TERMINATION OF PERMIT COVERAGE:** A site can be considered finally stabilized when all soil disturbing activities have been completed and:
  - 1. A uniform perennial vegetative cover with a density of **80%** for the unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures have been established.
  - 2. The facility no longer discharges storm water associated with Construction Activities.
  - 3. A Notice of Termination (NOT) form filed by the Operator(s) with the NYSDEC. The NOT must be submitted within 30 days of final stabilization.





## **II PROJECT NAME AND LOCATION**

Breitbeck Park Lower Harbor Trail Improvements  
City of Oswego, NY 13126  
Oswego County  
4813296 N, 376686 E

## **III OPERATOR'S NAME AND ADDRESS**

City of Oswego  
Justin Rudgick  
44 East Bridge Street  
Oswego, NY 13126  
315-343-3795

## **IV PROJECT DESCRIPTION**

This SWPPP is for the proposed improvements to the Breitbeck Park Lower Harbor Trail. The overall project site is approximately 3 acres within Breitbeck Park, north of Lake Street. The proposed improvements include removal of invasive plant species and landscaping enhancements.

The total project disturbance area is approximately 1.93 acres. The estimated time for completion of the construction on the project is 45 calendar days. General soil disturbing activities will include:

- Construction of temporary construction exit point
- Clearing, grubbing and vegetation removal operations
- Final grading to match existing



## V EXISTING SITE CONDITIONS:

### 1. Existing Conditions:

The project site tributary area is approximately 1.93 acres.

The topography of the projects site ranges from elevations 245 to 275 feet. The site has slopes ranging from 2% to 33%. Runoff is conveyed via overland shallow sheet flow to the receiving waters, Lake Ontario.

## VI NAME OF RECEIVING WATERS

The site discharges directly to Lake Ontario at the northern boundary of the project limits.

## VII DESCRIPTION OF SOILS

Soil Types within the Subject Area

Symbol	Soil Name	Hydrologic Soil Group
UB	Urban Land	D

## VIII EROSION AND SEDIMENT CONTROLS

- a. The project will utilized temporary and permanent erosion and sediment control practices to prevent sediment from leaving the project area. A list of the practices anticipated are as follows:

Temporary Structural					
	BMP	Notes		BMP	Notes
<input type="checkbox"/>	Inlet Protection		<input type="checkbox"/>	Brush Barrier	
<input type="checkbox"/>	Outlet Protection		<input type="checkbox"/>	Temporary Stream Crossing	
<input type="checkbox"/>	Perimeter Protection		<input type="checkbox"/>	Pipe Slope Drain	
<input checked="" type="checkbox"/>	Stabilized Construction Entrance/Exit		<input type="checkbox"/>	Wind Fence	
<input type="checkbox"/>	Stone Staging Area		<input type="checkbox"/>	Temporary Diversion Channels	
<input type="checkbox"/>	Temporary Sediment Basin		<input type="checkbox"/>	Temporary Diversion Berms	
<input type="checkbox"/>	Temporary Gravel and Riprap Sediment Trap		<input type="checkbox"/>	Other	
<input type="checkbox"/>	Temporary Rock Dam Sediment Trap		<input type="checkbox"/>	Other	
<input type="checkbox"/>	Check Dam		<input type="checkbox"/>	Other	
<input checked="" type="checkbox"/>	Sediment Fence		<input type="checkbox"/>		
<input type="checkbox"/>	Temporary Seeding		<input type="checkbox"/>	Chemical Stabilization	



Temporary Structural					
	BMP	Notes		BMP	Notes
<input type="checkbox"/>	Temporary Mulching		<input type="checkbox"/>	Other	
<input checked="" type="checkbox"/>	Rolled Erosion Control Product (RECP)	1 on 3 slope or greater	<input type="checkbox"/>	Other	
<input type="checkbox"/>	Slope Tracking (Soil Roughening)		<input type="checkbox"/>	Other	
<input type="checkbox"/>	Watering to Minimize Wind Erosion		<input type="checkbox"/>	Other	
Permanent Stabilization					
	BMP	Notes		BMP	Notes
<input checked="" type="checkbox"/>	RECP (all slopes exceeding 3:1 (3 horizontal to 1 vertical))		<input type="checkbox"/>	Vegetation Protection	
<input checked="" type="checkbox"/>	Permanent Seeding		<input type="checkbox"/>	Sod	
<input checked="" type="checkbox"/>	Permanent Planting (vegetative landscaping)		<input type="checkbox"/>	Other	
<input checked="" type="checkbox"/>	Mulching		<input type="checkbox"/>	Other	
Permanent Structural					
	BMP	Notes		BMP	Notes
<input type="checkbox"/>	Outlet Protection		<input type="checkbox"/>	Stormwater Channel	
<input type="checkbox"/>	Storm Drainage System		<input type="checkbox"/>	Retaining Wall	
<input type="checkbox"/>	Curb		<input type="checkbox"/>	Gradient Terrace	
<input type="checkbox"/>	Stormwater Pond		<input type="checkbox"/>	Stormwater Retention Pond	
<input type="checkbox"/>	Stormwater Infiltration		<input type="checkbox"/>	Stormwater Filtration	
<input type="checkbox"/>	Bio Swale		<input type="checkbox"/>	Bio Retention Basin	
<input type="checkbox"/>	Other		<input type="checkbox"/>	Other	
<input type="checkbox"/>	Other		<input type="checkbox"/>	Other	



b. Sequence of Major Construction Activities

The Contractor will be responsible for implementing the following Erosion and Sediment Control and Storm Water Management control measures. The Contractor may designate these tasks to certain subcontractors as he sees fit, but the ultimate responsibility for implementing these controls and ensuring their proper functioning remains with the Contractor. The order of activities will be as follows (refer to the Overall Site Plan G-002 contained in this SWPPP for details):

Construction Sequence

1. Pre-construction meeting held to include Project Manager, Owner's Representative, Contractor, and Sub-contractors prior to land disturbing activities.
2. Install temporary stabilized construction access and temporary construction staging area.
3. Install silt fence on down gradient side of entire temporary staging area.
4. Install construction fence and vegetation protection as necessary for site work.
5. Install silt fence prior to up-gradient soil disturbances.
6. Begin clearing, grubbing and vegetation removal operations. Clearing, grubbing and vegetation removal shall be done only in areas where planting will be performed and only in areas where construction is planned to commence within 14 days after clearing, grubbing and vegetation removal.
7. Have a qualified professional conduct an assessment of the site prior to the commencement of construction and certify in an inspection report that the appropriate erosion and sediment controls described in the SWPPP and required by the NYSDEC permit have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.
8. Apply permanent seed and mulch and install erosion control blanket where indicated on plans.
9. Install remainder of plantings and seed the project site.
10. When site has reached final stabilization, remove temporary erosion and sediment control measures.

C. Storm Water Management

The following storm water management measures will be applied during the construction process to control pollutants in storm water discharges after construction operations have been completed.

1. Parking and roads shall be cleaned or swept on an as needed basis.
2. 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.
3. 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.

## **IX OTHER CONTROLS**

### **a. Off-Site Vehicle Tracking**

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

### **b. Excavation Spoil Materials**

Excavation spoil materials may be generated during excavation. These materials must be properly managed to prevent them from contributing to storm water discharges. The materials generated from the development of this Project will be managed by the following method: Stockpiled on-site, the general site contractor to specify location and provide erosion control for excavated spoil materials.

### **c. Dust Control**

Minimizing wind erosion and controlling dust will be accomplished by one or more of the following methods

- Covering 30% or more of the soil surface with a non-erodible material.
- Roughening the soil to produce ridges perpendicular to the prevailing wind. Ridges should be about six (6) inches in height.
- Frequent watering of excavation and fill areas.
- Providing gravel or paving at entrance/exit drives, parking areas and transit paths.

### **d. Equipment Service Area**

The Contractor shall identify an area on the Erosion and Sediment Control Plan for equipment cleaning, maintenance and repair. This area shall be protected by a temporary perimeter berm preventing all surface runoff from leaving the area, or equivalent measure, and shall be located no closer than 100' from any Waters of the United States or state, and shall be located no closer than 50' from any storm inlet. External washing of trucks and other construction vehicles must be confined to this area. No engine degreasing or asphalt equipment or tool washing is permitted.

### **e. Material Stockpiles**

Stormwater runoff to and from material stockpiles shall be controlled to prevent materials from creating a diversion of surface water to disturbed soils or from entering the surface water. Topsoil stockpiles shall be surrounded with perimeter sediment control measures such as silt fence and be covered with non-erosive material as soon as practicable but no longer than 14 days after completion of the pile. Non-erosive material may include



temporary seeding with straw mulch and tackifier, Mulch, or other material providing suitable cover.

f. Masonry Mixing Area

Non-stormwater discharges into storm drainage systems or waterways containing slurries from concrete or mortar mixing operations shall not be permitted. Masonry mixing areas shall be located a minimum distance of 100 linear feet from drainage ways, inlets and surface waters and all storm water runoff from these areas shall be contained by a berm or other measures. Run-on water to these areas will be diverted to prevent mixing of clean water and water contaminated with concrete slurry.

## **X COMPLIANCE WITH OTHER STATE AND LOCAL REGULATIONS**

At a minimum, the Contractor will obtain copies of any and all local and state regulations which are applicable to Storm Water Management, Erosion and Sediment Control, and pollution minimization at this Project and will comply fully with such regulations. The Contractor will submit written evidence of such compliance if requested by the Operator or any agent of a regulatory body. The Contractor will comply with all conditions of the *NYSDEC* General Permit for Stormwater Discharges from Construction Activities including the conditions related to maintaining the SWPPP and evidence of compliance with the SWPPP at the Project and allowing regulatory personnel access to the Project and to records in order to determine compliance. The Contractor shall also comply with any additional or more stringent requirements imposed by the permit issued by an approved state storm water program, or with permits issued, or requirements imposed by the Town to which the Project discharges storm water. Requirements with which the Contractor must comply include installation of post-construction measures required by the State, County, or City.

## **XI MATERIALS MANAGEMENT PLAN**

a. Progress Drawing

A Progress Drawing consisting of a print of the Erosion and Sediment Control Plans shall be posted inside the job trailer wall. The Progress Drawing will be used to record the locations of the Job Trailer, Sanitary Waste Facilities, Solid Waste Facilities, Fuel Storage Area, Equipment Service Area, and Concrete Washout Pit. Any time any of these facilities are relocated on the site, a new location will be noted on the Progress Drawing.

b. Materials Covered

The following materials or substances are expected to be present onsite during construction:

Concrete/Additives/Wastes	Cleaning solvents
Detergents	Petroleum based products
Paints/Solvents	Pesticides
Acids	Fertilizers
Solid and construction wastes	Sanitary wastes
Soil stabilization additives	



c. Materials Management Practices

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff. The Contractor's Superintendent will be responsible for ensuring that these procedures are followed:

1. Good Housekeeping

The following good housekeeping practices will be followed onsite during construction:

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

2. Hazardous Substances

These practices will be used to reduce the risks associated with Hazardous Substances. Material Safety Data Sheets (MSDS's) for each product with hazardous properties that is used at the Project will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the job trailer at the Project. Each employee who must handle a Hazardous Substance will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

- a) Products will be kept in original containers with the original labels in legible condition.
- b) Original labels and MSDS's will be procured and used for each product.
- c) If surplus product must be disposed manufacturer's and local/state/federal required methods for proper disposal must be followed.

3. Hazardous Waste

It is imperative that all Hazardous Waste be properly identified and handled in accordance with all applicable Hazardous Waste Standards, including the storage, transport and disposal of the Hazardous Wastes. There are significant penalties for



the improper handling of Hazardous Wastes. It is important that the Site Superintendent seeks appropriate assistance in making the determination of whether a substance or material is a Hazardous Waste. For example, Hazardous Waste may include certain Hazardous Substances, as well as pesticides, paints, paint solvents, cleaning solvents, pesticides, contaminated soils, and other materials, substances or chemicals that have been discarded (or are to be discarded) as being out-of-date, contaminated, or otherwise unusable, and can include the containers for those substances; other materials and substances can also be or become Hazardous Wastes, however. The Contractor's Superintendent is also responsible for ensuring that all site personnel are instructed as to these Hazardous Waste requirements and also that the requirements are being followed.

#### 4. Product Specific Practices

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

##### a) Petroleum Products

All onsite vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Petroleum storage tanks shall be located at minimum 100 linear feet from drainage ways, inlets and surface waters. Maximum total aggregate above ground storage capacity (for the total permit area) shall not exceed 1,320 gallons (which includes both bulk and equipment operational storage volumes in fuel tanks 55 gallons and greater). Total aggregate petroleum storage exceeding 1,320 gallons shall require preparation, certification (using a Professional Engineer or providing a Self-Certified SPCC Plan if applicable) and implementation of a Spill Prevention Control and Countermeasures (SPCC) Plan. The SPCC Plan must be prepared and fully implemented prior to the commencement of work. The SPCC Plan, if needed, will be furnished by the Contractor. **Any petroleum storage tanks stored onsite will be located within a containment area that is designed with an impervious surface between the tank and the ground. The secondary containment must be designed to provide a containment volume that is equal to 110% of the volume of the largest tank. Any mobile petroleum tank shall be parked in a vehicular service area surrounded by a berm that provides a containment volume that is equal to 110% of the volume of the largest tank.** Containment must provide sufficient volume to contain expected precipitation and 110% volume of the largest tank. Accumulated rainwater or spills from containment areas are to be promptly pumped into a containment device and disposed of properly by a licensed Hazardous Waste transporter. Drip pans shall be provided for all dispensers. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations. The location of any fuel tanks and/or equipment storage areas must be identified on the PROGRESS DRAWING by the Contractor once the locations have been determined.

##### b) Fertilizers

Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked in the soil to limit exposure





to storm water. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

c) Paints, Paint Solvents, and Cleaning Solvents

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

d) Concrete Wastes

Concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water on the site, but only in specifically designated diked and impervious washouts which have been prepared to prevent contact between the concrete wash and storm water. Waste generated from concrete wash water shall not be allowed to flow into drainage ways, inlets, receiving waters or highway right of ways, or any location other than the designated concrete washout. Waste concrete may be poured into forms to make riprap or other useful concrete products. Proper signage designating the "Concrete Washout" shall be placed near the facility. Concrete Washouts shall be located at minimum 100 linear feet from drainage ways, inlets and surface waters.

The hardened residue from the concrete wash out areas will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used on site as deemed appropriate by the Contractor. Maintenance of the washout is to include removal of hardened concrete. The Facility shall have sufficient volume to contain all the concrete waste resulting from washout and a minimum freeboard of 12 inches. Facility shall not be filled beyond 95% capacity and shall be cleaned out once 75% full unless a new facility is constructed. The Contractor's Superintendent will be responsible for seeing that these procedures are followed.

Saw-cut Portland Cement Concrete (PCC) slurry shall not be allowed to enter storm drains or Watercourses. Saw-cut residue should not be left on the surface of pavement or be allowed to flow over and off pavement. Residue from saw-cutting and grinding shall be collected by vacuum and disposed of in the concrete washout facility.

**The Project may require the use of multiple concrete wash out areas.**

These concrete wash out areas are to be made available to all trades and subcontractors working on the Project. The Contractor may designate certain wash out areas for particular trades or subcontractors, but the Contractor is responsible for the management of all concrete washout areas on the Project. All concrete wash out areas will be located in an area where the likelihood of the area contributing to storm water discharges is negligible. If required, additional BMPs must be implemented to prevent concrete wastes from contributing to storm water discharges. The location of concrete wash out area(s) must be identified on the PROGRESS DRAWING by the Contractor once the locations have been determined.



e) Solid and Construction Wastes

All waste materials will be collected and stored in an appropriately covered container and/or securely contained metal dumpster rented from a local waste management company which must be a licensed solid waste management company. The dumpster will comply with all local and state solid waste management regulations.

All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied a minimum of once per week or more often if necessary. Once building construction has commenced, the dumpster will be emptied a minimum of once per week or when 95% full, or more often if necessary to prevent over-flow and the trash will be hauled to a landfill. No construction waste materials will be buried on site. All personnel will be instructed regarding the correct procedures for waste disposal.

All waste dumpsters and roll-off containers will be located in an area where the likelihood of the containers contributing to storm water discharges is negligible. Solid waste containers shall be located no less than 50 feet from any storm inlet, drainage way, or surface water. If required, additional BMPs must be implemented, such as gravel bags, wattles, dikes, berms, and fences around the base to prevent wastes from contributing to storm water discharges. The location of waste dumpsters and roll-off containers must be identified on the PROGRESS DRAWING by the Contractor once the locations have been determined.

f) Sanitary Wastes

A minimum of one portable sanitary unit will be provided for every ten (10) workers on the site. All sanitary waste will be collected from the portable units a minimum of one time per week by a licensed portable facility provider in complete compliance with local and state regulations.

All sanitary waste units will be located in an area where the likelihood of the unit contributing to storm water discharges is negligible. Additional containment BMPs must be implemented, such as gravel bags or specially designed plastic skid containers around the base, to prevent wastes from contributing to storm water discharges. The location of sanitary waste units must be identified on the PROGRESS DRAWING by the contractor once the locations have been determined.

g) Contaminated Soils

Any contaminated soils (resulting from spills of Hazardous Substances or Oil or discovered during the course of construction) which may result from Construction Activities will be contained and cleaned up in accordance with applicable state and federal regulations. Contaminated soils not resulting from Construction Activities, or which pre-existed Construction Activities, but which are discovered by virtue of Construction Activities, should be reported in the same manner as spills, but with sufficient information to indicate that the discovery of an existing condition is being reported. If there is a release that



occurs by virtue of the discovery of existing contamination, this should be reported as a spill, if it otherwise meets the requirements for a reportable spill.

**D. Spill Prevention and Response Procedures**

The Contractor will train all personnel in the proper handling and cleanup of spilled Hazardous Substances or Oil. No spilled Hazardous Substances or Oil will be allowed to come in contact with storm water discharges. If such contact occurs, the storm water discharge will be contained on site until appropriate measures in compliance with state and federal regulations are taken to dispose of such contaminated storm water. It shall be the responsibility of the Contractor's Superintendent to be properly trained, and to train all personnel in spill prevention and clean up procedures.

1. In order to prevent or minimize the potential for a spill of Hazardous Substances or Oil to come into contact with storm water, the following steps will be implemented:
  - a) All Hazardous Substances or Oil (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) will be stored in a secure location, with their lids on, preferably under cover, when not in use.
  - b) The minimum practical quantity of all such materials will be kept at the Project.
  - c) A spill control and containment kit (containing, for example, absorbent materials, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage site.
  - d) Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be trained regarding these procedures and the location of the information and cleanup supplies.
  - e) It is the Contractors responsibility to ensure that all Hazardous Waste discovered or generated at the Project site is disposed of properly by a licensed hazardous material disposal company. The Contractor is responsible for not exceeding Hazardous Waste storage requirements mandated by the EPA or state and local authority.
2. In the event of a spill of Hazardous Substances or Oil, the following procedures must be followed:
  - a) **All measures must be taken to contain and abate the spill and to prevent the discharge of the Hazardous Substance or Oil to storm water or off-site. (The spill area must be kept well ventilated and personnel must wear appropriate protective clothing to prevent injury from contact with the Hazardous Substances.)**
  - b) **If the release is equal to or in excess of a reportable quantity, the SWPPP must be modified within seven (7) calendar days of knowledge of the discharge to provide a description of the release, the circumstances leading to the release, and the date of the release. The SWPPP must identify measures to prevent the recurrence of such releases and to respond to such releases. The form in Appendix 15 must be completed in accordance with this requirement.**



## **XII CONTROL OF NON-STORM WATER DISCHARGES**

Certain types of discharges are allowable under the NYSDEC General Permit for Stormwater Discharges from Construction Activities, and it is the intent of this SWPPP to allow such discharges. These types of discharges will be allowed under the conditions that no pollutants will be allowed to come in contact with the water prior to or after its discharge. The control measures which have been outlined previously in this SWPPP will be strictly followed to ensure that no contamination of these non-storm water discharges takes place. The following non-storm water discharges are allowed by the NYSDEC and may occur at the Project:

1. Waters used to wash vehicles where detergents are not used;
2. Water used to control dust;
3. Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
4. Landscape irrigation

## **XIII HISTORICAL PROPERTIES**

There are no places or properties which are listed or would be eligible for listing on the State or National Register of Historic Places that will be impacted by this construction. The New York State Historic Preservation Office map provided in Appendix I indicates the area does not fall within an archeological sensitive area.



## **Appendix B**

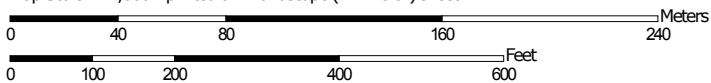
### **Soils Mapping**



# Soil Map—Oswego County, New York



Map Scale: 1:2,800 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84




**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey

5/8/2018  
Page 1 of 3

## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

### Background



Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

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

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

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

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Oswego County, New York

Survey Area Data: Version 16, Oct 8, 2017

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

Date(s) aerial images were photographed: Dec 31, 2009—Oct 10, 2016

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

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
UB	Urban land	3.4	89.0%
<b>Totals for Area of Interest</b>		<b>3.8</b>	<b>100.0%</b>





**Appendix C**  
**Erosion and Sedimentation Control Plans and Details**  
**(attached separately)**



**Appendix D**  
**Notice of Intent (NOI)**  
**and**  
**Acknowledgement Letter**

## NOTICE OF INTENT



## New York State Department of Environmental Conservation

## Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

NYR

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(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002

All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

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

## Owner/Operator Information

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

C I T Y O F O S W E G O

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

R U D G I C K

Owner/Operator Contact Person First Name

J U S T I N

Owner/Operator Mailing Address

4 4 E A S T B R I D G E S T R E E T

City

O S W E G O

State

N Y

Zip

1 3 1 2 6 -

Phone (Owner/Operator)

3 1 5 - 3 4 3 - 3 7 9 5

Fax (Owner/Operator)

3 1 5 - 3 4 2 - 8 1 2 7

Email (Owner/Operator)

j r u d g i c k @ o s w e g o n y . o r g

FED TAX ID

9 3 - 6 0 0 2 2 3 1

(not required for individuals)

## Project Site Information

Project/Site Name

B R E I T B E C K P A R K L O W E R H A R B O R T R A I L

Street Address (NOT P.O. BOX)

L A K E S T R E E T

Side of Street

☒ North ☐ South ☐ East ☐ West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

O S W E G O

State

N Y

Zip

1 3 1 2 6 -

County

O S W E G O

DEC Region

7

Name of Nearest Cross Street

O N T A R I O S T R E E T

Distance to Nearest Cross Street (Feet)

3 0 0

Project In Relation to Cross Street

☐ North ☐ South ☐ East ☒ West

Tax Map Numbers

Section-Block-Parcel

1 2 7 . 4 4 - 0 - 0 1

Tax Map Numbers

1 2 8 . 3 7 - 0 1 - 0 1

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you must go to the NYSDEC Stormwater Interactive Map on the DEC website at:

[www.dec.ny.gov/imsmaps/stormwater/viewer.htm](http://www.dec.ny.gov/imsmaps/stormwater/viewer.htm)

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting)

3 7 6 6 8 6

Y Coordinates (Northing)

4 8 1 3 2 9 6

2. What is the nature of this construction project?

- ☐ New Construction
- ☐ Redevelopment with increase in impervious area
- ☒ Redevelopment with no increase in impervious area

3. Select the predominant land use for both pre and post development conditions.

**SELECT ONLY ONE CHOICE FOR EACH**

**Pre-Development  
Existing Land Use**

- ☐ FOREST  
☐ PASTURE/OPEN LAND  
☐ CULTIVATED LAND  
☐ SINGLE FAMILY HOME  
☐ SINGLE FAMILY SUBDIVISION  
☐ TOWN HOME RESIDENTIAL  
☐ MULTIFAMILY RESIDENTIAL  
☐ INSTITUTIONAL/SCHOOL  
☐ INDUSTRIAL  
☐ COMMERCIAL  
☐ ROAD/HIGHWAY  
☐ RECREATIONAL/SPORTS FIELD  
☒ BIKE PATH/TRAIL  
☐ LINEAR UTILITY  
☐ PARKING LOT  
☐ OTHER

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**Post-Development  
Future Land Use**

- ☐ SINGLE FAMILY HOME  
☐ SINGLE FAMILY SUBDIVISION  
☐ TOWN HOME RESIDENTIAL  
☐ MULTIFAMILY RESIDENTIAL  
☐ INSTITUTIONAL/SCHOOL  
☐ INDUSTRIAL  
☐ COMMERCIAL  
☐ MUNICIPAL  
☐ ROAD/HIGHWAY  
☐ RECREATIONAL/SPORTS FIELD  
☒ BIKE PATH/TRAIL  
☐ LINEAR UTILITY (water, sewer, gas, etc.)  
☐ PARKING LOT  
☐ CLEARING/GRADING ONLY  
☐ DEMOLITION, NO REDEVELOPMENT  
☐ WELL DRILLING ACTIVITY \*(Oil, Gas, etc.)  
☐ OTHER

Number of Lots

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**\*Note:** for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area																								
<table border="1"><tr><td></td><td></td><td></td><td>3</td><td>.</td><td>0</td></tr></table>				3	.	0	<table border="1"><tr><td></td><td></td><td></td><td>1</td><td>.</td><td>9</td></tr></table>				1	.	9	<table border="1"><tr><td></td><td></td><td></td><td>0</td><td>.</td><td>3</td></tr></table>				0	.	3	<table border="1"><tr><td></td><td></td><td></td><td>0</td><td>.</td><td>3</td></tr></table>				0	.	3
			3	.	0																						
			1	.	9																						
			0	.	3																						
			0	.	3																						

5. Do you plan to disturb more than 5 acres of soil at any one time? ☐ Yes ☒ No

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

A	B	C	D												
<table border="1"><tr><td></td><td></td><td></td></tr></table> %				<table border="1"><tr><td></td><td></td><td></td></tr></table> %				<table border="1"><tr><td></td><td></td><td></td></tr></table> %				<table border="1"><tr><td>1</td><td>0</td><td>0</td></tr></table> %	1	0	0
1	0	0													

7. Is this a phased project? ☐ Yes ☒ No

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

Start Date	End Date																
<table border="1"><tr><td>0</td><td>6</td></tr></table> / <table border="1"><tr><td>0</td><td>4</td></tr></table> / <table border="1"><tr><td>2</td><td>0</td><td>1</td><td>8</td></tr></table>	0	6	0	4	2	0	1	8	- <table border="1"><tr><td>0</td><td>7</td></tr></table> / <table border="1"><tr><td>1</td><td>5</td></tr></table> / <table border="1"><tr><td>2</td><td>0</td><td>1</td><td>8</td></tr></table>	0	7	1	5	2	0	1	8
0	6																
0	4																
2	0	1	8														
0	7																
1	5																
2	0	1	8														

Name \_\_\_\_\_

[illegible]

☐ Wetland / State Jurisdiction On Site (Answer 9b)

☐ Wetland / State Jurisdiction Off Site

☐ Wetland / Federal Jurisdiction On Site (Answer 9b)

☐ Wetland / Federal Jurisdiction Off Site

☐ Stream / Creek On Site

☐ Stream / Creek Off Site

☐ River On Site

- ☐ Regulatory Map
- ☐ Delineated by Consultant
- ☐ Delineated by Army Corps of Engineers
- ☐ Other (identify)

[illegible][illegible]

☐ Yes    ☒ No

☐ Yes    ☐ No

☐ Yes    ☒ No

☐ Yes    ☐ No

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☐ Yes      ☒ No

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

- [illegible]

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

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

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

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

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

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

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

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

- ☒ Professional Engineer (P.E.)  
☐ Soil and Water Conservation District (SWCD)  
☐ Registered Landscape Architect (R.L.A.)  
☐ Certified Professional in Erosion and Sediment Control (CPESC)  
☐ Owner/Operator  
☐ Other

[illegible]

SWPPP Preparer

[illegible]

Contact Name (Last, Space, First)

[illegible]

Mailing Address

[illegible]

City

[illegible]

State Zip

N	Y
---	---

1	4	6	0	4
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Phone

$$\begin{array}{|c|c|c|} \hline 5 & 8 & 5 \\ \hline \end{array} - \begin{array}{|c|c|c|} \hline 2 & 3 & 2 \\ \hline \end{array} - \begin{array}{|c|c|c|c|} \hline 5 & 1 & 3 & 7 \\ \hline \end{array}$$

Fax

			→				→				
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Email

[illegible][illegible]

## SWPPP Preparer Certification

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-0-15-002. 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

J	A	M	E	S
---	---	---	---	---

MI



Last Name

[illegible]

Signature

*[Signature]*

Date

05/31/2018



25. Has a construction sequence schedule for the planned management practices been prepared? ☒ Yes ☐ No

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

## Temporary Structural

- ☐ Check Dams
- ☐ Construction Road Stabilization
- ☐ Dust Control
- ☐ Earth Dike
- ☐ Level Spreader
- ☐ Perimeter Dike/Swale
- ☐ Pipe Slope Drain
- ☐ Portable Sediment Tank
- ☐ Rock Dam
- ☐ Sediment Basin
- ☐ Sediment Traps
- ☒ Silt Fence
- ☒ Stabilized Construction Entrance
- ☐ Storm Drain Inlet Protection
- ☐ Straw/Hay Bale Dike
- ☐ Temporary Access Waterway Crossing
- ☐ Temporary Stormdrain Diversion
- ☐ Temporary Swale
- ☐ Turbidity Curtain
- ☐ Water bars

## Biotechnical

- ☐ Brush Matting
- ☐ Wattling

Other

[illegible]

## Vegetative Measures

- ☐ Brush Matting
- ☐ Dune Stabilization
- ☐ Grassed Waterway
- ☐ Mulching
- ☐ Protecting Vegetation
- ☐ Recreation Area Improvement
- ☒ Seeding
- ☐ Sodding
- ☐ Straw/Hay Bale Dike
- ☐ Streambank Protection
- ☐ Temporary Swale
- ☒ Topsoiling
- ☐ Vegetating Waterways

## Permanent Structural

- ☐ Debris Basin
- ☐ Diversion
- ☐ Grade Stabilization Structure
- ☐ Land Grading
- ☐ Lined Waterway (Rock)
- ☐ Paved Channel (Concrete)
- ☐ Paved Flume
- ☐ Retaining Wall
- ☐ Riprap Slope Protection
- ☐ Rock Outlet Protection
- ☐ Streambank Protection

**Post-construction Stormwater Management Practice (SMP) Requirements**

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

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

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

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

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

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

**Total WQv Required**

.     acre-feet

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

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

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

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

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

Table 2 - Alternative SMPs  
(DO NOT INCLUDE PRACTICES BEING  
USED FOR PRETREATMENT ONLY)

<u>Alternative SMP</u>		<u>Total Contributing Impervious Area(acres)</u>						
<input type="radio"/> Hydrodynamic .....	<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>			
<input type="radio"/> Wet Vault .....	<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>			
<input type="radio"/> Media Filter .....	<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>			
<input type="radio"/> Other <table border="1" style="display: inline-table; width: 150px; height: 20px; vertical-align: middle;"></table> .....	<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>				<table border="1" style="display: inline-table; width: 100px; height: 30px;"> <tr><td></td><td></td><td></td></tr> </table>			

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

[illegible][illegible]

**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.

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

Total RRv provided

--	--	--

.

--	--	--

acre-feet

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

☐ Yes      ☐ No

If Yes, go to question 36.

If No, go to question 32.

32. Provide the Minimum RRv required based on HSG.  
[Minimum RRv Required =  $(P)(0.95)(Ai)/12$ ,  $Ai=(S)(Aic)$ ]

### Minimum RRv Required

--	--	--

 . 

--	--	--

 acre-feet

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

☐ Yes    ☐ No

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, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

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

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

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

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

WQv Provided

.  acre-feet

**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 - RRv 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).

.

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)? ☐ Yes ☐ No

If Yes, go to question 36.

If No, sizing criteria has not been met, so 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

CPv Provided

.  acre-feet

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

- ☐ Site discharges directly to tidal waters or a fifth order or larger stream.
- ☐ Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

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

Total Overbank Flood Control Criteria (Qp)

Pre-Development

.  CFS

Post-development

.  CFS

Total Extreme Flood Control Criteria (Qf)

Pre-Development

.  CFS

Post-development

.  CFS

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

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Downstream analysis reveals that the Qp and Qf controls are not required

- ☐ Yes    ☐ No

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

[illegible]

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.

- ☐ Air Pollution Control

☐ Coastal Erosion

☐ Hazardous Waste

☐ Long Island Wells

☐ Mined Land Reclamation

☐ Solid Waste

☐ Navigable Waters Protection / Article 15

☐ Water Quality Certificate

☐ Dam Safety

☐ Water Supply

☐ Freshwater Wetlands/Article 24

☐ Tidal Wetlands

☐ Wild, Scenic and Recreational Rivers

☐ Stream Bed or Bank Protection / Article 15

☐ Endangered or Threatened Species(Incidental Take Permit)

☒ Individual SPDES

☐ SPDES Multi-Sector GP    

N	Y	R					
---	---	---	--	--	--	--	--

☐ Other    

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

☐ None

42. Is this project subject to the requirements of a regulated, traditional land use control MS4? ☐ Yes ☒ No  
(If No, skip question 43)

44. 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.

**Owner/Operator Certification**

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.

**Print First Name**

J U S T I N

**MI****Print Last Name**

R U D G I C K

**Owner/Operator Signature****Date**

05 / 29 / 2018



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Permits  
625 Broadway, Albany, New York 12233-3505  
P: (518) 402-8111 | F: (518) 402-9029  
www.dec.ny.gov

6/5/2018

OSWEGO, CITY OF  
JUSTIN RUDGICK  
44 EAST BRIDGE STREET  
OSWEGO, NY 13126-

**Re ACKNOWLEDGMENT of NOTICE of INTENT for  
Coverage Under SPDES General Permit for  
Storm Water Discharges from CONSTRUCTION  
ACTIVITY General Permit No. GP-0-15-002**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-15-002 for the construction activities located at:

**BREITBECK PARK LOWER HARBOR TRAIL  
LAKE STREET  
OSWEGO, NY 13126-**

**County: OSWEGO**

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-0-15-002 from the above construction site will be authorized **10** business days from **06/01/2018**, which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: **NYR11D758**. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on **06/01/2018** is accurate and complete.
2. You have developed a Storm Water Pollution Prevention Plan (SWPPP) that complies with GP-0-15-002 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-15-002.



Department of  
Environmental  
Conservation

4. Payment of the annual \$110 regulatory fee, which is billed separately by the Department in the late fall. The regulatory fee covers a period of one calendar year. In addition, since September 1, 2004, construction stormwater permittees have been assessed an initial authorization fee which is now \$110 per acre of land disturbed and \$675 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.

5. When applicable, project review pursuant to the State Environmental Quality Review Act (SEQRA) has been satisfied.

6. You have obtained all necessary Department permits subject to the Uniform Procedures Act (UPA). You should check with your Regional Permit Administrator for further information.

**\*Note: Construction activities cannot commence until project review pursuant to SEQRA has been satisfied, when SEQRA is applicable; and, where required, all necessary Department permits subject to the UPA have been obtained.**

Please be advised that the Department may request a copy of your SWPPP for review.

Should you have any questions regarding any aspect of the requirements specified in GP-0-15-002, please contact Dave Gasper at (518) 402-8114 or the undersigned at (518) 402-8109.

Sincerely,



Toni Cioffi

Environmental Program Specialist 1

**PLEASE NOTE: EPA HAS FINALIZED THE eREPORTING RULE; AND, IN THE NEAR FUTURE, ALL NOIs WILL HAVE TO BE SUBMITTED ELECTRONICALLY. BY FILING AN NOI ELECTRONICALLY, A PROJECT CAN TYPICALLY GAIN COVERAGE IN 5 BUSINESS DAYS COMPARED TO 10 BUSINESS DAYS FOR THE PAPER NOI. INFORMATION ON THE eNOI CAN BE FOUND ON OUR WEBSITE AT: <http://www.dec.ny.gov/chemical/43133.html> UNDER "FORMS."**

cc RWE - 7  
SWPPP Preparer

BERGMANN ASSOCIATES  
BASILE, JAMES  
280 EAST BROAD STREET  
ROCHESTER, NY 14604-



**Appendix E**  
**NYS DEC SPDES General Permit for Stormwater**  
**Discharges from Construction Activity**  
**(GP-0-15-002)**



Department of  
Environmental  
Conservation

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

From

**CONSTRUCTION ACTIVITY**

Permit No. GP-0-15-002

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

Effective Date: January 29, 2015

Expiration Date: January 28, 2020

Modification Date:

July 14, 2015 – Correction of typographical error in definition of “New Development”,  
Appendix A

November 23, 2016 – Updated to require the use of the New York State Standards and  
Specifications for Erosion and Sediment Control, dated November  
2016. The use of this standard will be required as of February 1,  
2017.

John J. Ferguson  
Chief Permit Administrator

  
Authorized Signature

11-14-16  
Date

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



## PREFACE

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

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

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

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

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

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

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(Part I)

## Part I. PERMIT COVERAGE AND LIMITATIONS

### A. Permit Application

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

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

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

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

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated 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

(Part I.B.1)

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

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

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

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

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

(Part I.B.1.c)

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

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

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

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

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

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

(Part I.B.1.f)

at or below the outlet does not occur.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**c. Sizing Criteria for Redevelopment Activity**

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

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

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

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

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

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

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

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

**D. Maintaining Water Quality**

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

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

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

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



(Part I.D)

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

**E. Eligibility Under This General Permit**

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

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

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

(Part I.F)

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

(Part I.F.8)

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

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

(iii) Executed Memorandum of Agreement, or

d. Documentation that:

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

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

## Part II. OBTAINING PERMIT COVERAGE

### A. Notice of Intent (NOI) Submittal

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

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

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

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

(Part II.A.2)

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

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

**B. Permit Authorization**

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

(Part II.B.3)

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

- a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:
  - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or
  - (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;
  - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.
- b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:
  - (i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed “MS4 SWPPP Acceptance” form, or
  - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed “MS4 SWPPP Acceptance” form.

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

(Part II.B.4)

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

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

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

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

(Part II.C.3.a)

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

- b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated 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. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
5. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the *regulated, traditional land use control MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice



(Part II.D)

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

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

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

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

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. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.A.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

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

(Part III)

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

#### A. General SWPPP Requirements

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

(Part III.A.5)

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

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

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

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

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

(Part III.A.6)

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

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

**B. Required SWPPP Contents**

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated 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

(Part III.B.1.d)

activity at the site that results in soil disturbance;

- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated 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

(Part III.B.1.I)

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

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

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

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

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

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

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

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

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

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

(Part IV)

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

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

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

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

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

### **C. Qualified Inspector Inspection Requirements**



(Part IV.C)

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

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

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

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

(Part IV.C.2.b)

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

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

(Part IV.C.2.e)

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

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

(Part IV.C.4.i)

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

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

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

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

(Part V.A.2)

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

(Part V.A.5)

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

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

### **A. Record Retention**

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

### **B. Addresses**

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

(Part VII)

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

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

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

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

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

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

### **C. Enforcement**

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

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

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

(Part VII.E)

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

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

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

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

### **G. Other Information**

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

### **H. Signatory Requirements**

1. All NOIs and NOTs shall be signed as follows:

a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the



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

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

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

(Part VII.H.2.b)

individual or any individual occupying a named position) and,

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

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

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

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

#### **J. Severability**

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

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

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

(Part VII.K.1)

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

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

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

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

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

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

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

(Part VII.N)

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

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

#### **O. Definitions**

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

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

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

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

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

#### **R. Other Permits**

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

## APPENDIX A

### Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## APPENDIX B

### Required SWPPP Components by Project Type

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

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

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

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

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's and water treatment plants
- Office complexes
- Sports complexes
- Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

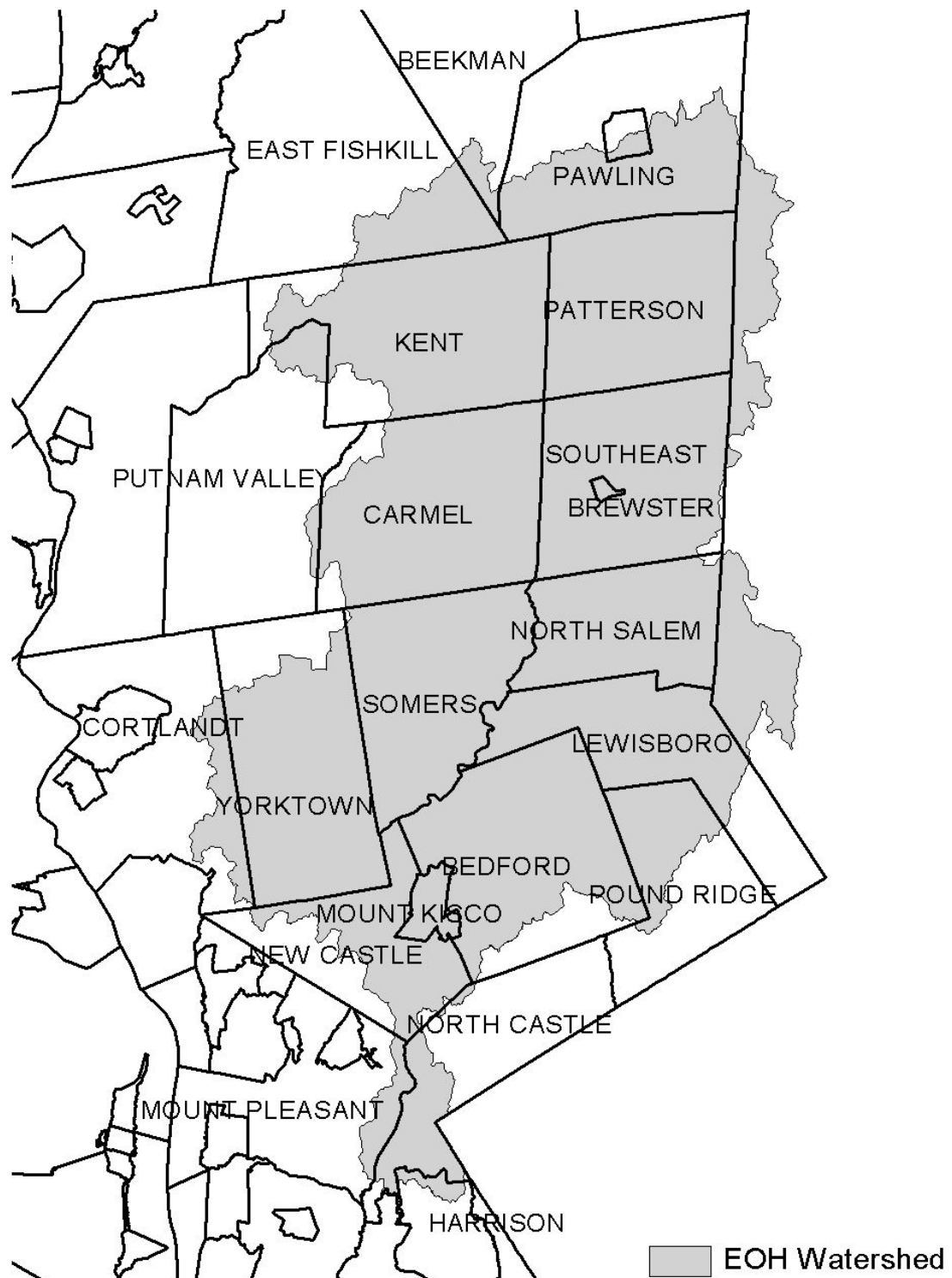
## APPENDIX C

### Watersheds Where Enhanced Phosphorus Removal Standards Are Required

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

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

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

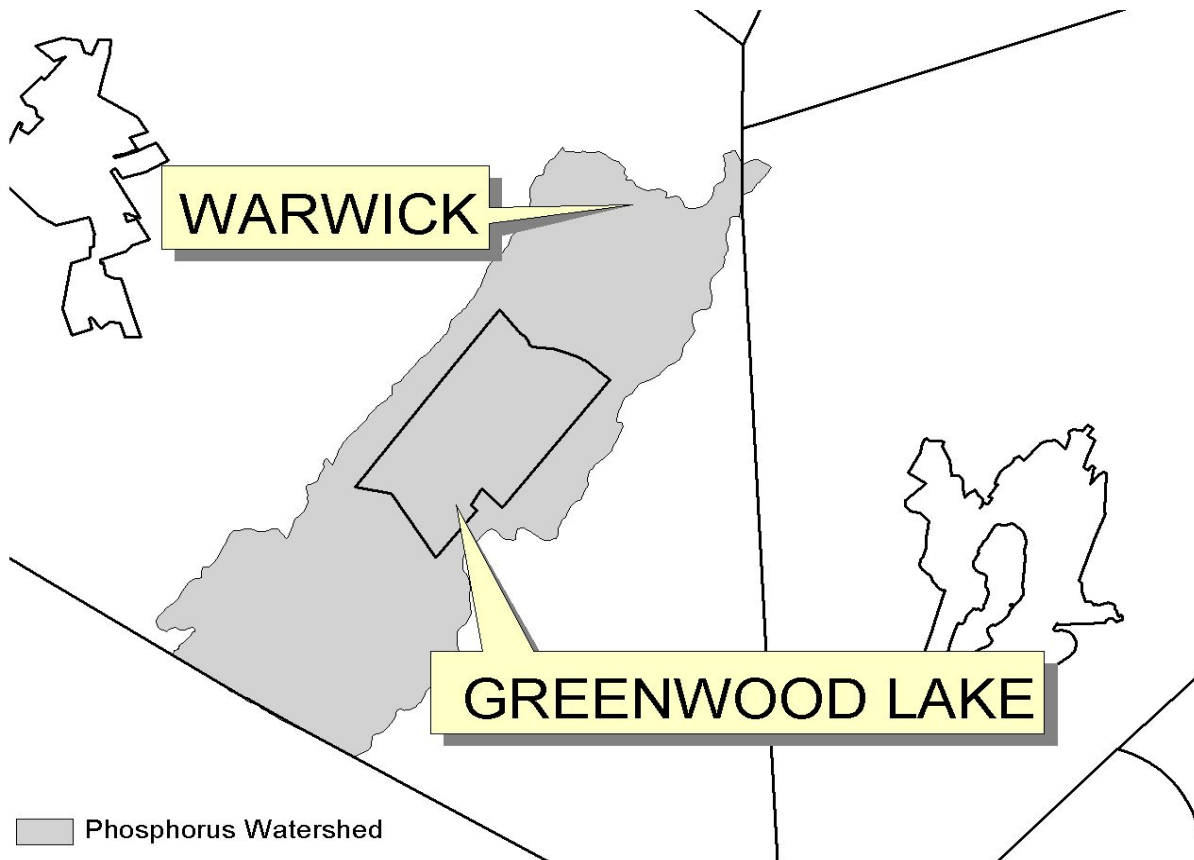


**Figure 2 - Onondaga Lake Watershed**





**Figure 3 - Greenwood Lake Watershed**



**Figure 4 - Oscawana Lake Watershed**

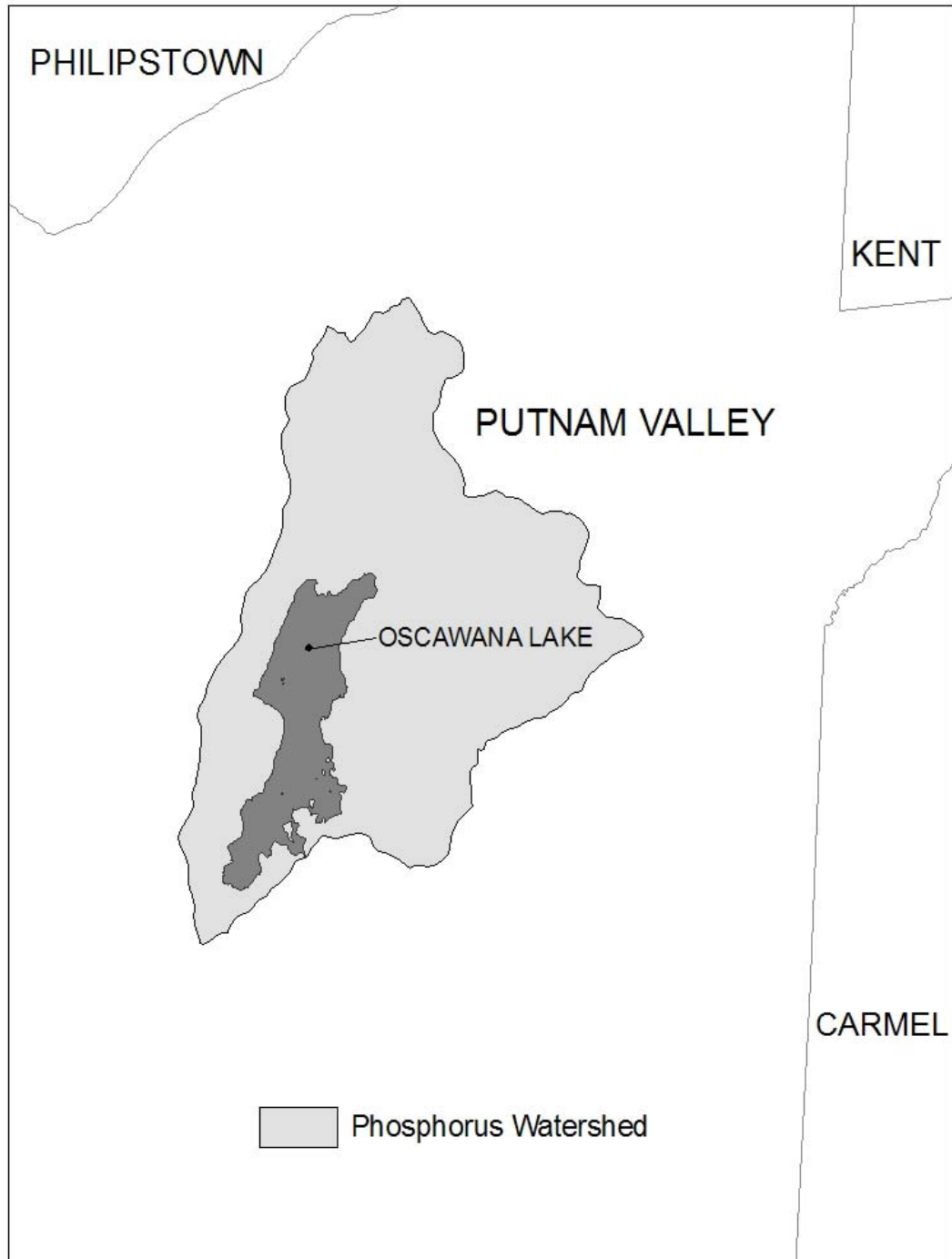
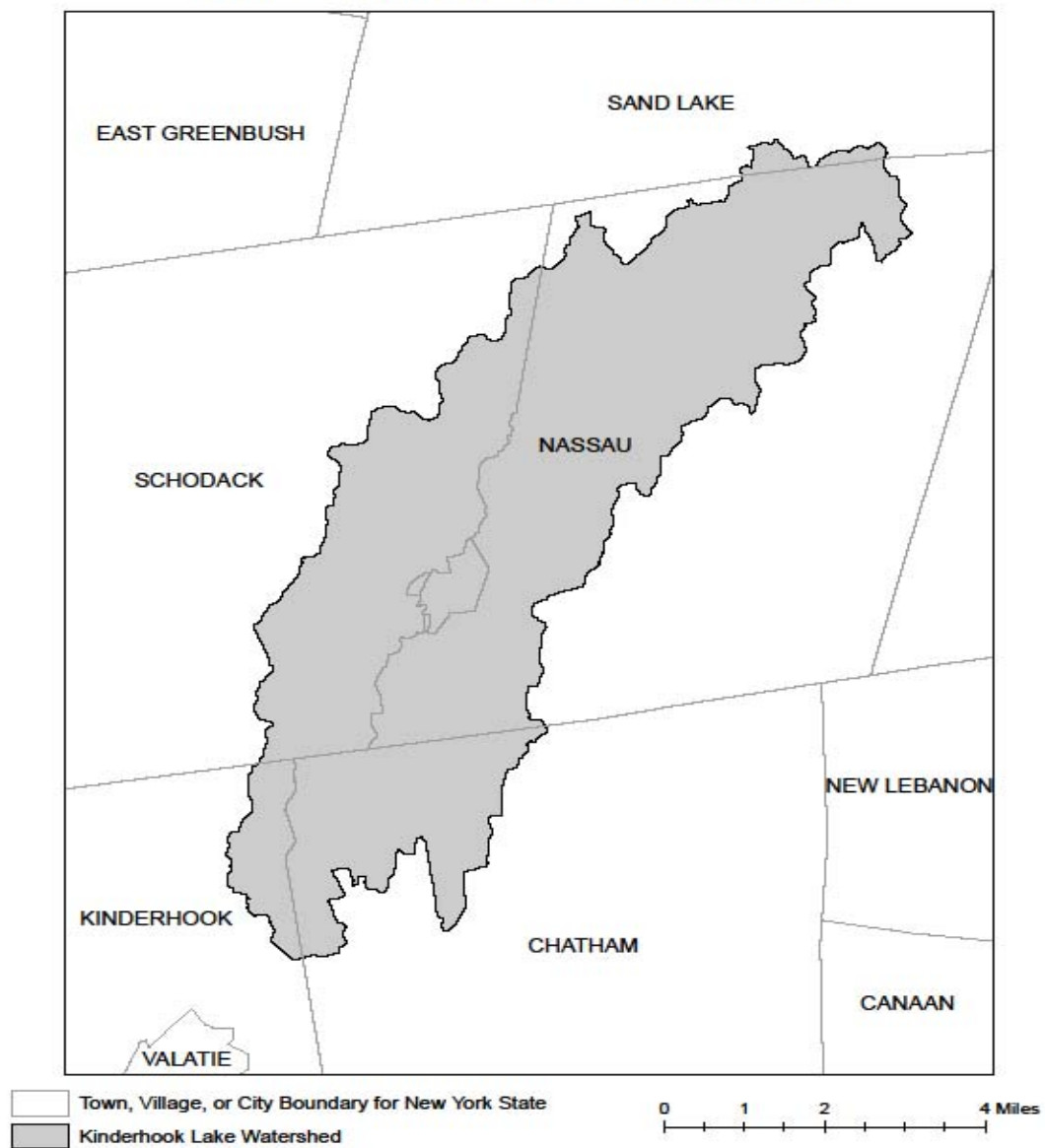


Figure 5: Kinderhook Lake Watershed



## APPENDIX D

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

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

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

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

## APPENDIX E

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

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

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

## 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>
<b>1</b>	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
<b>2</b>	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
<b>3</b>	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
<b>4</b>	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
<b>5</b>	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
<b>6</b>	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
<b>7</b>	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
<b>8</b>	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
<b>9</b>	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070



## **Appendix F**

### **Contractor/Subcontractor Certification**



**STORM WATER POLLUTION PREVENTION PLAN  
CONTRACTOR'S CERTIFICATION**

**CONSTRUCTION SITE –  
BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS  
CITY OF OSWEGO  
OSWEGO COUNTY, NEW YORK  
STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

**CONTRACTOR'S CERTIFICATION:**

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

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

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

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

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

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

Telephone Number: \_\_\_\_\_

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

Scope of Services: \_\_\_\_\_

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

Received by: \_\_\_\_\_  
[Name]

**STORM WATER POLLUTION PREVENTION PLAN  
SUBCONTRACTOR'S CERTIFICATION**

**CONSTRUCTION SITE -  
BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS  
CITY OF OSWEGO  
OSWEGO COUNTY, NEW YORK  
STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

**SUBCONTRACTOR'S CERTIFICATION:**

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

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

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

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

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

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

**Telephone Number:** \_\_\_\_\_

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

**Scope of Services:** \_\_\_\_\_

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

**Received by:** \_\_\_\_\_  
[Name]



## **Appendix G**

### **Inspection Report**

**STORMWATER POLLUTION PREVENTION PLAN**  
**CONSTRUCTION SITE -**  
**BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS**  
**CITY OF OSWEGO**  
**OSWEGO COUNTY, NEW YORK**  
**STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

Inspections/reports must be completed a minimum of once every seven calendar days.

Inspection Type: <input type="checkbox"/> Routine (every 7 calendar days) <input type="checkbox"/> Other _____
--

Date: \_\_\_\_\_ Week Ending: \_\_\_\_\_

Weather/Storm Event Information:

Storm Start Time: \_\_\_\_\_ Storm Duration: \_\_\_\_\_

Approximate Amount of Rainfall (inches): \_\_\_\_\_

Based on the results of the inspection, necessary control modifications shall be initiated within 24-hours and completed within a reasonable time frame. These reports shall be kept on file as part of the Storm Water Pollution Prevention Plan for at least five (5) years from the date of completion and submission of the Final Stabilization Certification/Termination Checklist and Notice of Termination. A copy of the SWPPP shall be kept at the site at all times during construction.

Practices in need of repair:


Item not corrected from previous inspection:


Name of Inspector: \_\_\_\_\_ Title of Inspector: \_\_\_\_\_

Inspector's Signature: \_\_\_\_\_

**Contractor Compliance Certification**

**I certify that, based on no incidents of non-compliance identified during the inspection, the site is in compliance with the SWPPP and the Construction General Permit.**

**Name of Duly Authorized Representative (Printed):** \_\_\_\_\_

**Signature of Duly Authorized Representative:** \_\_\_\_\_

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

**\*Note: Only to be signed when the site is in full compliance with the SWPPP and the Construction General Permit.**

**II. CONSTRUCTION DURATION INSPECTIONS**

**a. Directions:**

**Inspection Forms will be filled out during the entire construction phase of the project.**

**Required Elements:**

**(1) On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period;**

**(2) Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;**

**(3) Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period;**

**Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, 50 percent);**

**(5) Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps). Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching. Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water; and**

**(6) Immediately report to the Contractor and Operator any deficiencies that are identified with the implementation of the SWPPP.**

**SITE PLAN/SKETCH**

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**Qualified Inspector (print name)**

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**Qualified Inspector Signature**

---

**Date of inspection**

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

## **CONSTRUCTION DURATION INSPECTIONS**

### **Maintaining Water Quality**

---

**Yes No NA**

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

### **Housekeeping**

#### **1. General Site Conditions**

**Yes No NA**

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

#### **2. Temporary Stream Crossing**

**Yes No NA**

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

### **Runoff Control Practices**

#### **1. Excavation Dewatering**

**Yes No NA**

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

#### **2. Level Spreader**

**Yes No NA**

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

#### **3. Interceptor Dikes and Swales**

**Yes No NA**

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

#### **4. Stone Check Dam**

**Yes No NA**

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

## **5. Rock Outlet Protection**

Yes No NA

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

## **Soil Stabilization**

### **1. Topsoil and Spoil Stockpiles**

Yes No NA

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

### **2. Revegetation**

Yes No NA

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

## **Sediment Control**

### **1. Stabilized Construction Entrance**

Yes No NA

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

### **2. Silt Fence**

Yes No NA

- ☐ ☐ ☐ Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
- ☐ ☐ ☐ Joints constructed by wrapping the two ends together for continuous support.
- ☐ ☐ ☐ Fabric buried 6 inches minimum.
- ☐ ☐ ☐ Posts are stable, fabric is tight and without rips or frayed areas.
- Sediment accumulation is \_\_\_\_% of design capacity.

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

Yes No NA

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



#### **4. Temporary Sediment Trap**

**Yes No NA**

☐ ☐ ☐ **Outlet structure is constructed per the approved plan or drawing.**

☐ ☐ ☐ **Geotextile fabric has been placed beneath rock fill.**

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

#### **5. Temporary Sediment Basin**

**Yes No NA**

☐ ☐ ☐ **Basin and outlet structure constructed per the approved plan.**

☐ ☐ ☐ **Basin side slopes are stabilized with seed/mulch.**

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

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

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

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



## **Appendix H**

# **Modification Log and Report**

**STORM WATER POLLUTION PREVENTION PLAN  
MODIFICATION LOG**

**CONSTRUCTION SITE -  
BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS  
CITY OF OSWEGO  
OSWEGO COUNTY, NEW YORK  
STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

**CHANGES REQUIRED FOR STORM WATER POLLUTION PREVENTION PLAN**

The SWPPP must be amended whenever there is a change in design, construction, operation, or maintenance at the construction site that has a significant effect on the discharge of pollutants to the Waters of the United States that has not been previously addressed in the SWPPP, if inspections or investigations by site staff, local, state or federal officials determine that discharges are causing water quality exceedances or the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site, or based on the results of an inspection, or there is a release containing a Hazardous Substance or Oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24 hour period, the SWPPP must be modified to include additional or modified BMPs designed to correct identified problems. Revisions to the SWPPP must be completed within seven (7) calendar days following the inspection. Modifications that are the result of inspections shall be initialed within 24 hours and completed within 48 hours. All modifications are to be referenced on both the forms and on a Progress Drawing.

**MODIFICATION LOG**

<b>MODIFICATION NUMBER*</b>	<b>DATE</b>	<b>BRIEF DESCRIPTION</b>	<b>PROJECT MANAGER REVIEW</b>

\*Modification Log Number to correspond with Modification Report Number

**STORM WATER POLLUTION PREVENTION PLAN  
MODIFICATION REPORT**

**CONSTRUCTION SITE -  
BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS  
CITY OF OSWEGO  
OSWEGO COUNTY, NEW YORK  
STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

**NUMBER** \_\_\_\_\_

**DATE** \_\_\_\_\_

**TO:  
ADDRESS:**

**TELEPHONE:**

**FACSIMILE:**

**SENT VIA:**

☐ Facsimile

☐ Courier

☐ US Mail

**INSPECTOR:** \_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Inspector Signature)

**QUALIFICATIONS OF INSPECTOR:** \_\_\_\_\_

**CHANGES REQUIRED TO THE STORMWATER POLLUTION PREVENTION PLAN:**

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**REASONS FOR CHANGES:**

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**TO BE PERFORMED BY:** \_\_\_\_\_

**ON OR BEFORE:** \_\_\_\_\_

**Project Manager:** \_\_\_\_\_

**Other Operator:** \_\_\_\_\_



**BERGMANN**  
ARCHITECTS ENGINEERS PLANNERS

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## **Appendix I**

# **Historical Mapping**

[HOME](#) [SUBMIT](#) [SEARCH](#) [COMMUNICATE](#)

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**Appendix J**  
**Final Stabilization/  
Notice of Termination Checklist**

**STORM WATER POLLUTION PREVENTION PLAN**

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

**CONSTRUCTION SITE -  
BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS  
CITY OF OSWEGO  
OSWEGO COUNTY, NEW YORK  
STORMWATER POLLUTION PREVENTION PLAN DATED MAY, 2018**

1. ☐ All soil disturbing activities are complete and the facility no longer discharges storm water associated with Construction Activities.
2. ☐ Temporary Erosion and Sediment Control Measures have been removed or will be removed at the appropriate time.
3. ☐ All areas of the Construction Site not otherwise covered by a permanent pavement or structure have been stabilized with a uniform perennial vegetative cover with a density of 80% or equivalent measures have been employed.

**CONTRACTOR'S CERTIFICATION:**

*"I certify under penalty of law that all storm water discharges associated with Construction Activity from the identified project that are authorized by the NPDES Construction General Permit have been eliminated and that all disturbed areas and soils at the construction site have achieved Final Stabilization and all temporary erosion and sediment control measures have been remove in addition all permanent stormwater structures have been constructed as described in the SWPPP"*

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

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

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

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

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

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

Received by: \_\_\_\_\_  
[Name]





## **Appendix K**

### **Blank Notice of Termination (NOT)**

**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)



**BREITBECK PARK  
LOWER HARBOR TRAIL  
IMPROVEMENTS**  
OSWEGO, NEW YORK  
SHEET TITLE:  
OVERALL SITE PLAN

[illegible]

EAL:

DATE:	4/16/2018
ROJ NO.:	EDR 18025
SCALE:	1"=60'-0"
DESIGNED BY:	DNS
DRAWN BY:	DNS
VIEWED BY:	JCG

R Job#: 18025

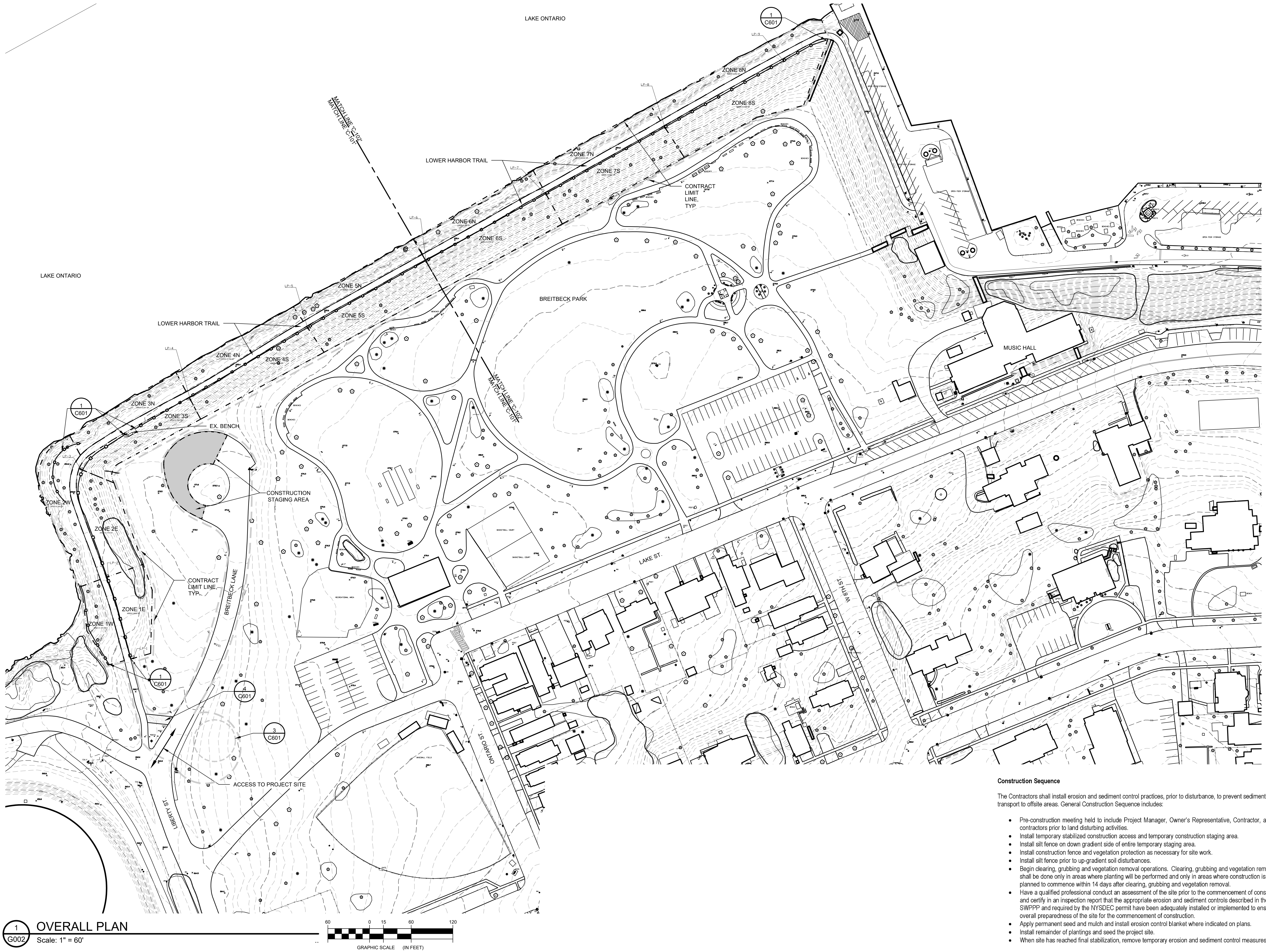
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E NAME:

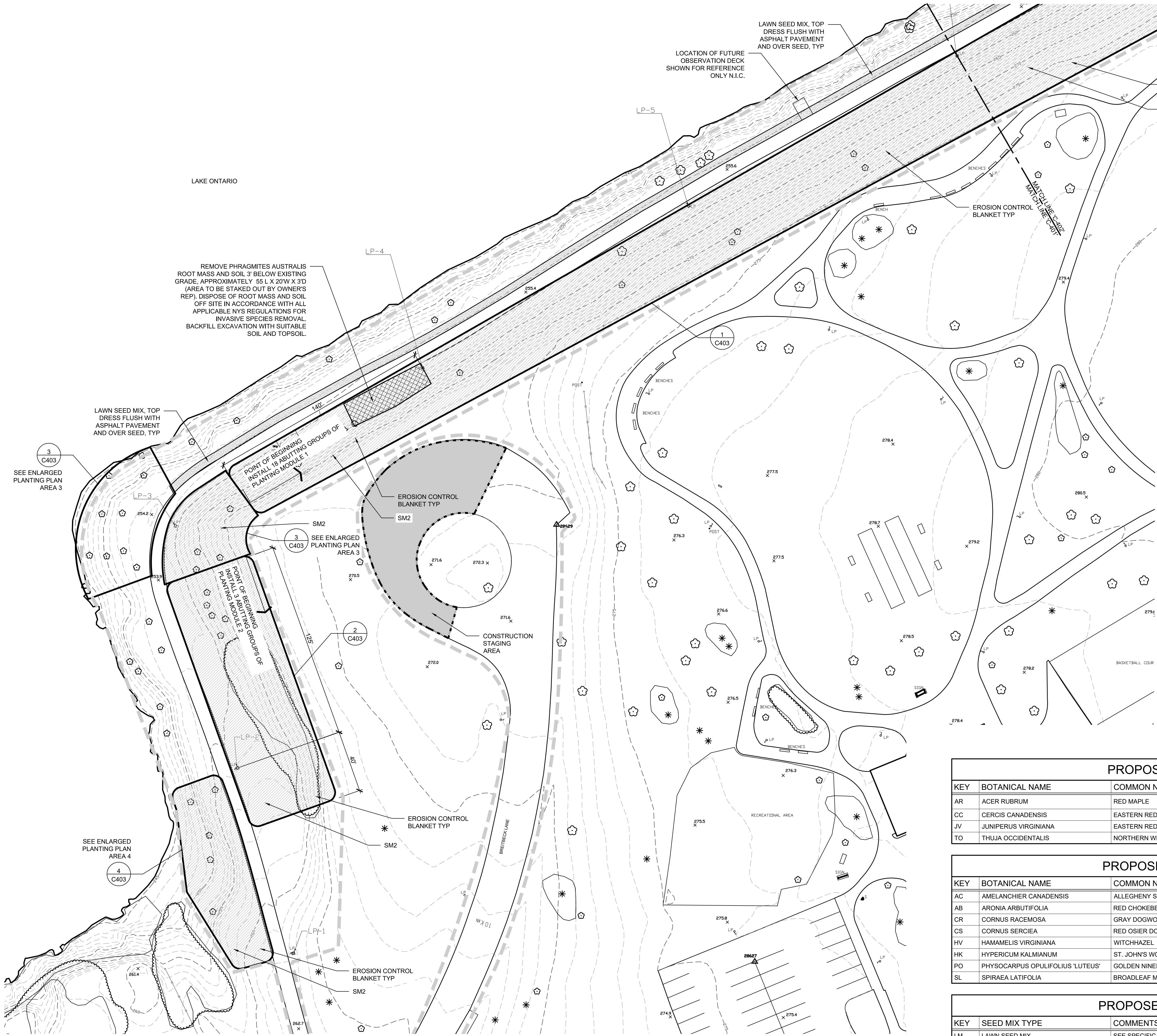
025\_\_Breitbeck Park-Working

HEET NUMBER:

# G-002







**LEGEND**

EROSION CONTROL BLANKET OVER SEEDED TOPSOIL

PROPOSED PLANT LIST - TREES					
KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
AR	ACER RUBRUM	RED MAPLE	2" CAL.	BALL & BURLAP	
CC	CERCIS CANADENSIS	EASTERN REDBUD	5-6' HGT.	BALL & BURLAP	
JV	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4-5' HGT.	BALL & BURLAP	
TO	THUJA OCCIDENTALIS	NORTHERN WHITE CEDAR	4-5' HGT.	BALL & BURLAP	

PROPOSED PLANT LIST - SHRUBS					
KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
AC	AMELANCHIER CANADENSIS	ALLEGHENY SERVICEBERRY	4-5' HGT.	BALL & BURLAP	
AB	ARONIA ARBUTIFOLIA	RED CHOKEBERRY	#3	CONT.	
CR	CORNUS RACEMOSA	GRAY DOGWOOD	#3	CONT.	
CS	CORNUS SERCIAE	RED OSIER DOGWOOD	#3	CONT.	
HV	HAMAMELIS VIRGINIANA	WITCHHAZEL	#5	CONT.	
HK	HYPERICUM KALMIANUM	ST. JOHN'S WORT	#3	CONT.	
PO	PHYSOCARPUS OPUЛИFOLIUS 'LUTEUS'	GOLDEN NINEBARK	#2	CONT.	
SL	SPIRAEA LATIFOLIA	BROADLEAF MEADOWSWEET	#2	CONT.	

PROPOSED PLANT LIST - GRASSES					
KEY	SEED MIX TYPE	COMMENTS			
LM	LAWN SEED MIX	SEE SPECIFICATIONS			
SM1	NORTHEAST NATIVE WILDFLOWER & GRASS MIX	SEE SPECIFICATIONS			
SM2	LOW GROWING WILDFLOWER & GRASS MIX	SEE SPECIFICATIONS			

1

C401

PLANTING PLAN

Scale: 1" = 30'

300

0

10

30

60

GRAPHIC SCALE (IN FEET)

Edgewater

resources

518 Broad Street, Suite 200  
Saint Joseph, MI 49085  
P: (269) 932.4502  
F: (269) 932.3542  
www.edgewaterresources.com

edr

Environmental  
Design & Research,  
Landscape Architecture, Engineering  
& Environmental Services, D.P.C.

217 Montgomery Street, Suite 1000  
Syracuse, New York 13202  
P. 315.471.0688

north

PROJECT TITLE:  
BREITBECK PARK  
LOWER HARBOR TRAIL  
IMPROVEMENTS  
OSWEGO, NEW YORK

SHEET TITLE:  
PLANTING PLAN

NO.	DATE	REVISION

SEAL:

DATE: 4/16/2018

PROJ NO.: EDR 18025

SCALE: 1"=30'-0"

DESIGNED BY: DNS

DRAWN BY: DNS

REVIEWED BY: JCG

EDR JOB#: 18025

FILE NAME:  
18025\_Breitbeck Park-Working

SHEET NUMBER:

C-401



# BREITBECK PARK LOWER HARBOR TRAIL IMPROVEMENTS

OSWEGO, NEW YORK

SHEET TITLE:  
PLANTING PLAN

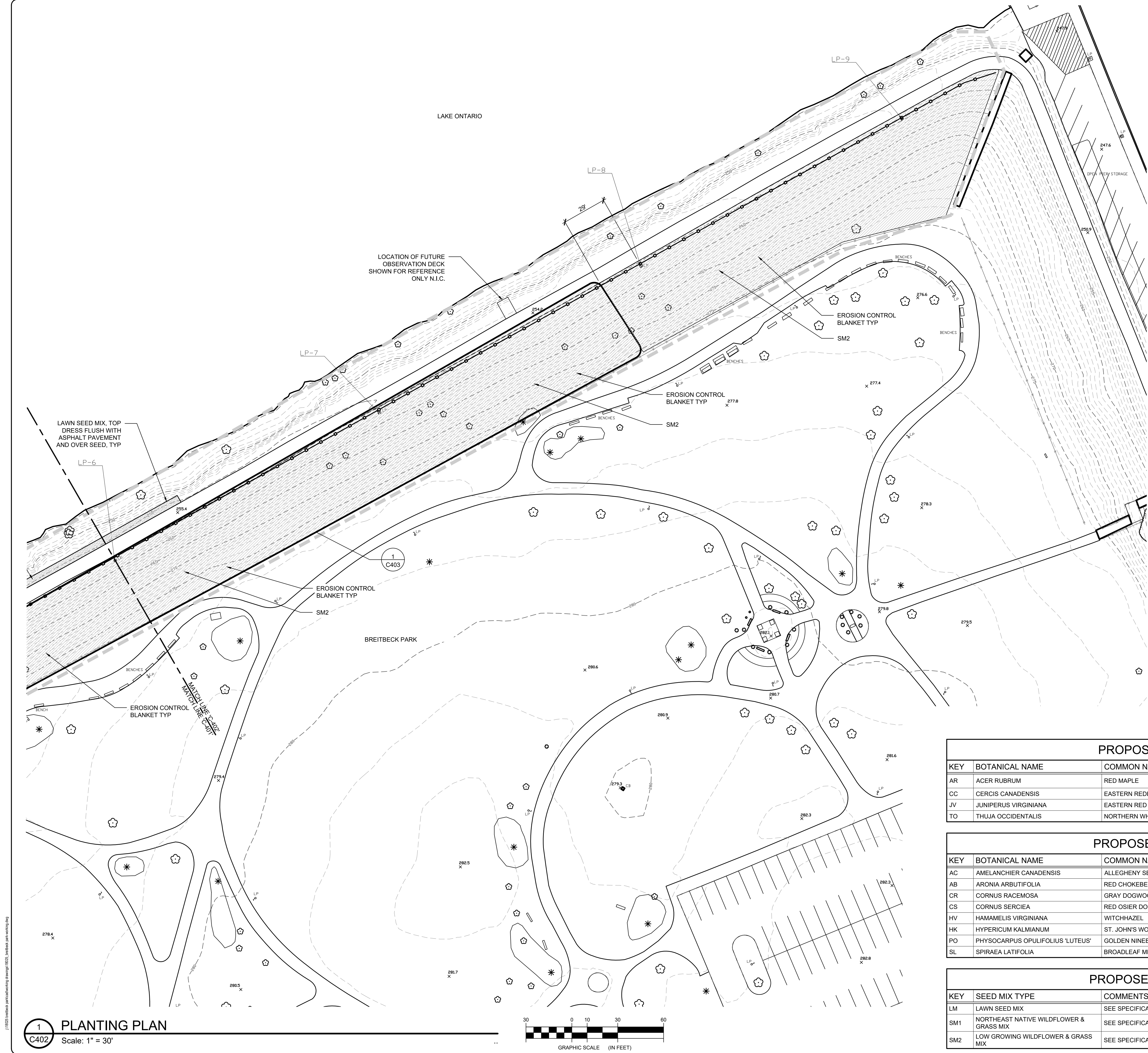
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EAL:

DATE:	4/16/2018
ROJ NO.:	EDR 18025
CALE:	1"=30'-0"
DESIGNED BY:	DNS
DRAWN BY:	DNS
REVIEWED BY:	JCG

HEET NUMBER:

# C-402





NO.	DATE	REVISION

SEAL:

DATE:	4/16/2018
PROJ. NO.:	EDR 18025
SCALE:	AS SHOWN
DESIGNED BY:	DNS
DRAWN BY:	DNS
REVIEWED BY:	JCG

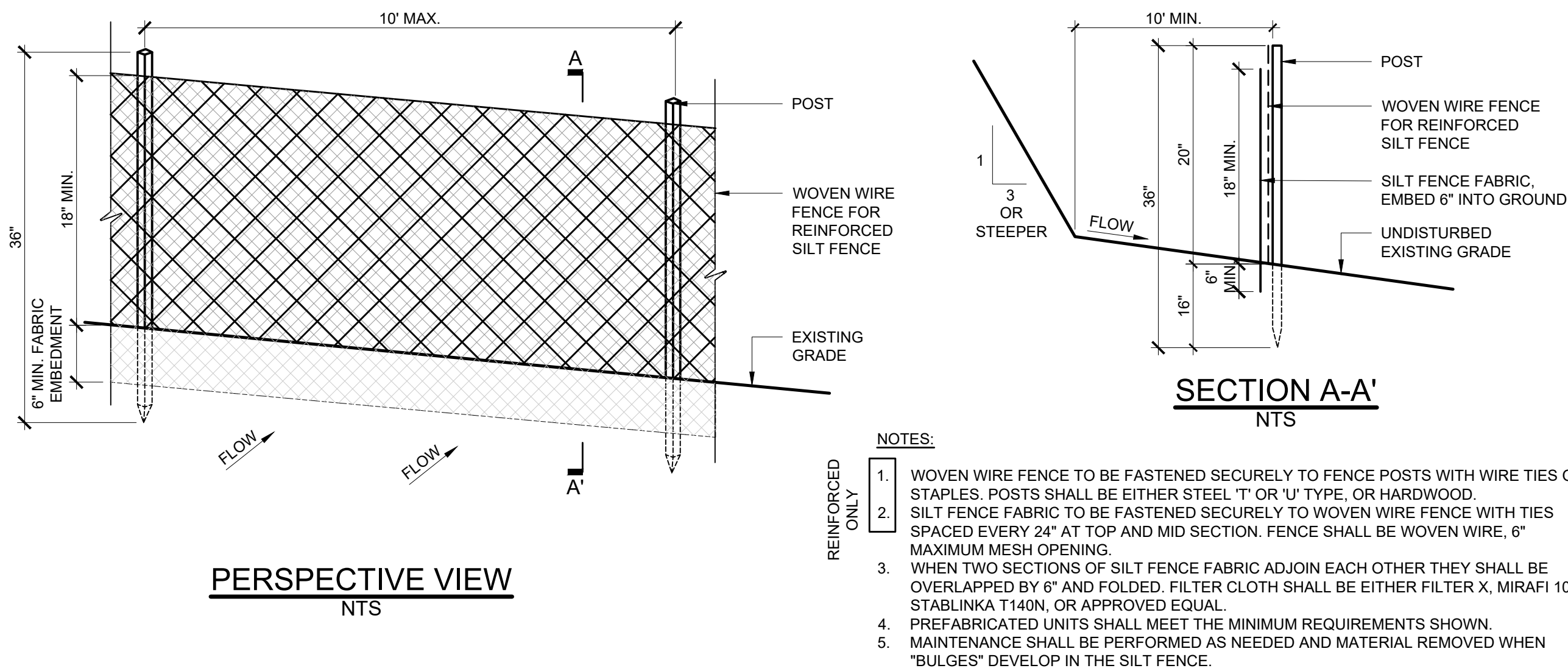
EDR JOB#: 18025

FILE NAME:

18025\_Breitbeck Park-Working

SHEET NUMBER:

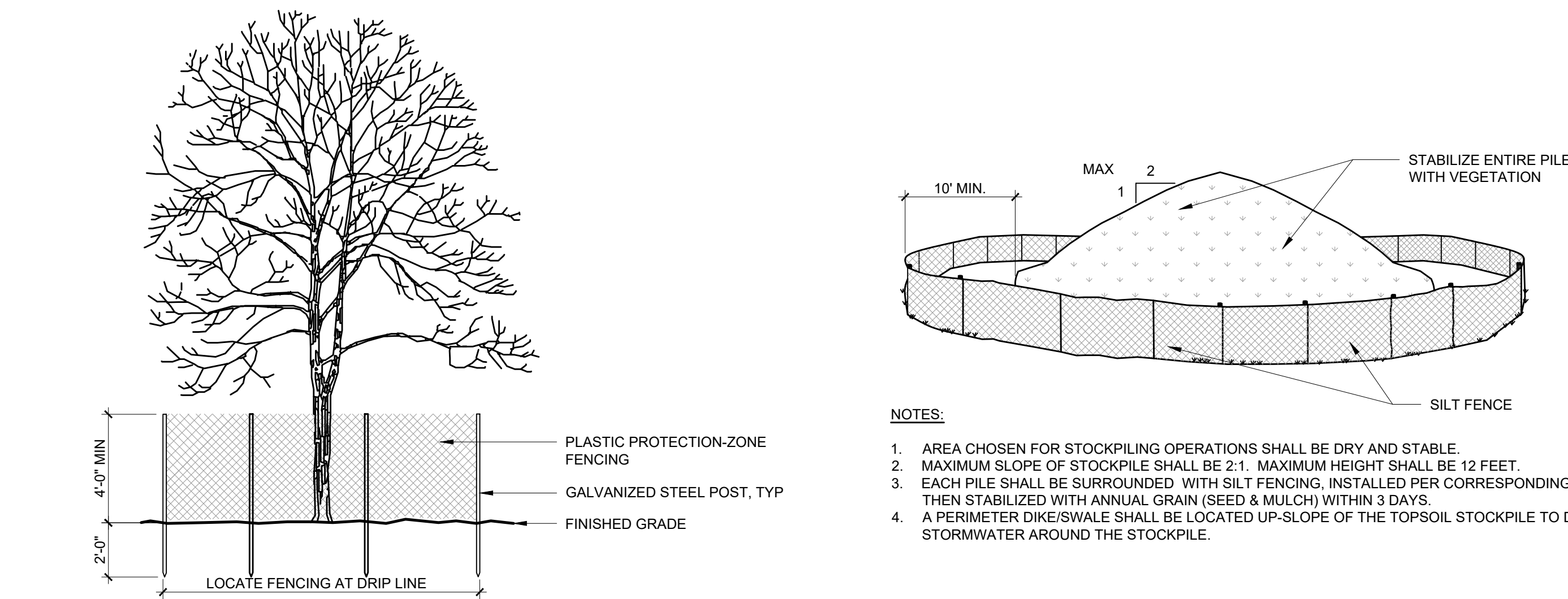
C-601



**1 SILT FENCE**

C601 Scale: NTS

TEMPORARY

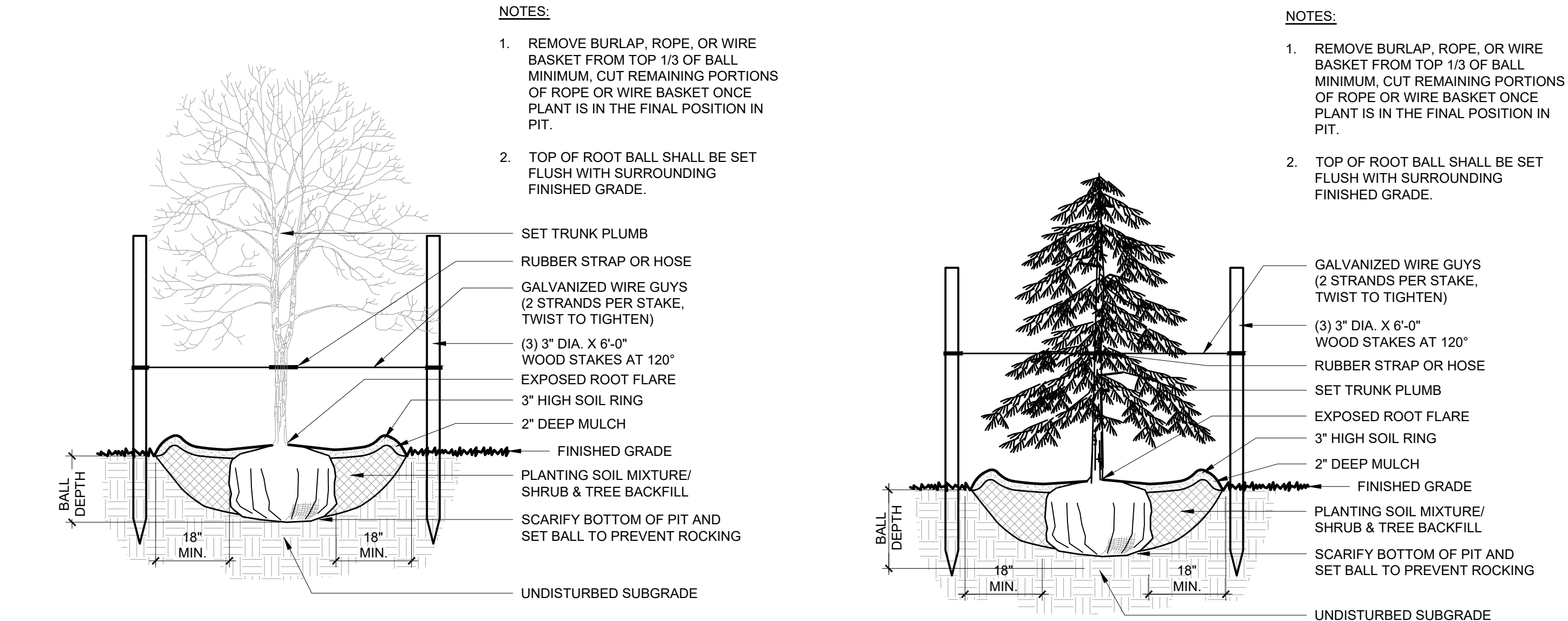


**2 VEGETATION PROTECTION**

C601 Scale: 1/4" = 1'-0"

COORDINATION REQUIRED

EDR STANDARD SPECIFICATION SECTION 015639.1.3.D:  
Tree-Protection Zone: Area surrounding individual trees or groups of trees to be protected during construction and  
[indicated on Drawings] [defined by a circle concentric with each tree with a radius 1.5 times the diameter of the drip line unless  
otherwise indicated] [defined by a circle concentric with each tree with a radius 12 times the tree's caliper size and with a minimum  
radius of 96 inches unless otherwise indicated] <Insert requirement>.



**5 PLANTING DECIDUOUS TREE**

C601 Scale: 1/2" = 1'-0"

WITH UPRIGHT STAKES

**6 PLANTING EVERGREEN TREE**

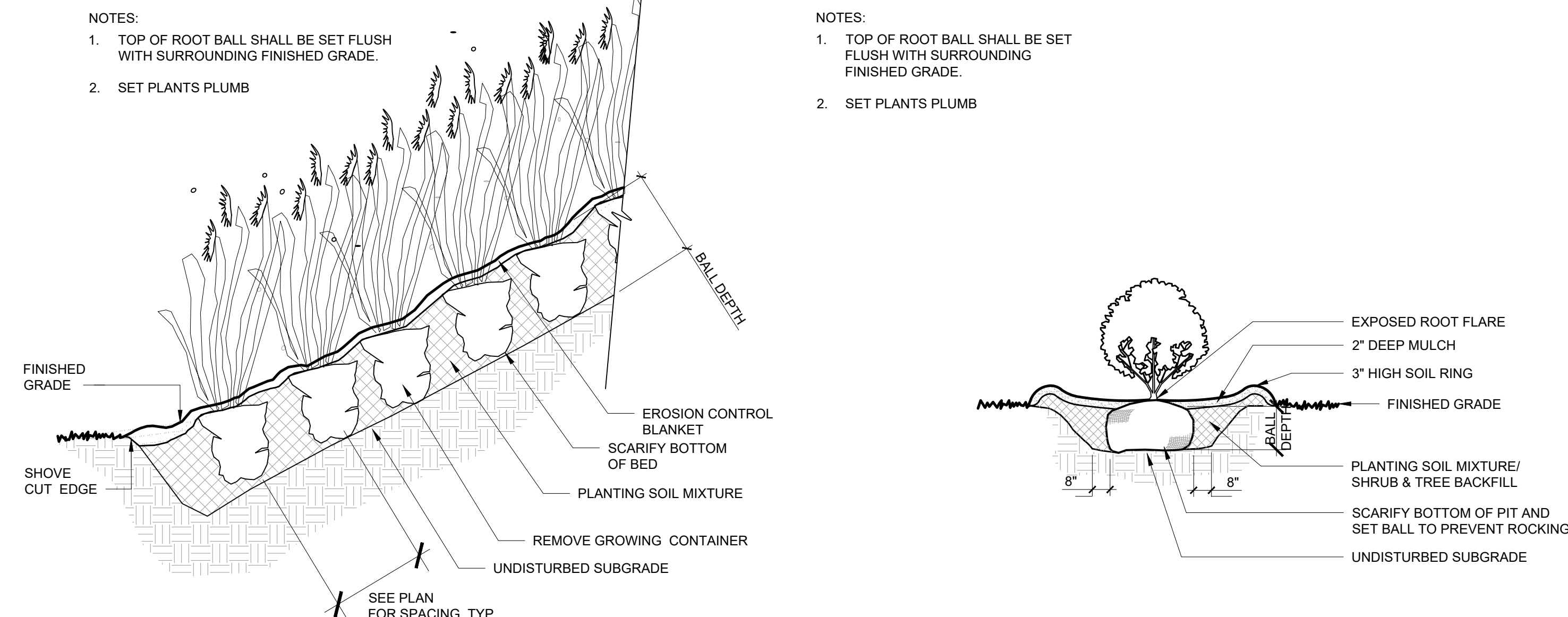
C601 Scale: 1/2" = 1'-0"

WITH UPRIGHT STAKES

**7 PLANTING ON SLOPE**

C601 Scale: NTS

WITH CONTINUOUS PLANT BED



**9 PLANTING SHRUB**

C601 Scale: 1/2" = 1'-0"

**9 PLANTING SHRUB**

C601 Scale: 1/2" = 1'-0"