

APPENDIX G.1
CASE 10-T-0139
STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
FORT EDWARD LAYDOWN YARD
(C67)

Champlain Hudson Power Express



Case Number 10-T-0139

Land Segment 4 – Package 3

Fort Edward Staging and Laydown Yard

Stormwater Pollution Prevention Plan

Fort Edward

Washington County, New York

CHA Project Number: 006676

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1.0 PROJECT INFORMATION

Project Name and Location	Owner and Operator Name and Address
Champlain Hudson Power Express Segment 4 – Package 3 Fort Edward Staging and Laydown Yard Fort Edward, New York	Kiewit Construction 470 Chestnut Ridge Road Woodcliff Lake, New Jersey 07677

2.0 PROJECT DESCRIPTION

2.1 PURPOSE AND EXTENT OF PROPOSED DEVELOPMENT

The proposed Champlain Hudson Power Express (CHPE) project involves the construction of ±339 miles of high voltage direct current underground and underwater transmission line from Montreal, Canada to Queens, New York. It will bring 1,250 megawatts of hydropower to replace the use of fossil fuel, reduce carbon emission, and to help achieve clean renewable energy by the year 2025. The proposed project will provide enough power for more than 1 million homes, along with numerous environmental and economic benefits to millions of residents in New York State communities.

The CHPE upland cable installation work of for the High Voltage Direct Current (HVDC) transmission cable via direct burial will be covered under individual SWPPP reports for corresponding segments and packages. Specifically, this SWPPP has been prepared to cover the construction staging and laydown yard located within the southern portion of Segment 4 – Package 3 on Lock 8 Way, in the Town and Village of Fort Edward, Washington County, NY (see Figure 1 – Site Location Map in Appendix A).

All temporary construction storage and staging areas will be accomplished within the limits of disturbance as depicted on the plans. Existing site drainage patterns will be maintained. Construction and temporary stabilization of each site will be sequenced to avoid disturbing 5 acres or more at one time within one watershed. The proposed project contains no increase in permanent

impervious area, and it is not anticipated to contribute a significant pollutant load within the watershed or to downstream waterbodies.

As such, peak flow mitigation and water quality treatment are not required by the State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (GP-0-20-001) and are not included as a part of this project, and post construction stormwater management practices are not proposed. Based on the Appendix B Table 1 of the SPDES General Permit GP-0-20-001, any construction activities that involves only temporary access roads, median crossovers, detour roads, lanes, or other impervious areas that will be restored to pre-construction conditions once the construction activity is complete will require a SWPPP that only includes ESC and weekly field inspections during construction. Erosion and sediment control plans and details have been developed and will be implemented during construction in order to stabilize disturbed areas.

This SWPPP has been prepared in accordance with the criteria presented in the SPDES General Permit GP-0-20-001, the New York State Stormwater Management Design Manual (January 2015), and the New York State Standards and Specifications for Erosion and Sediment Control (July 2016). This SWPPP was prepared to cover the Segment 4 – Package 3 Fort Edward Staging and Laydown Yard scheduled to start in February 2023 with initial construction and final restoration of yard following cable installation.

Table 1 – Nature of Construction Project

The nature of this construction project is checked below:	
	New construction with proposed standard SMPs, Green Infrastructures, and ESC measures.
	Redevelopment with increase in impervious areas with proposed standard SMPs and ESC measures.
X	Redevelopment with no increase in impervious areas with proposed ESC measures only and no SMPs.

2.2 PROJECT DISTURBANCE AREA

The total land disturbance and limit of work is depicted on the Erosion and Sediment Control plan sheets.

Table 2 – Project Disturbance Area

Total Project Area	Total Disturbed Area
±14.0 acres	±3.3 acres

2.3 DESCRIPTION AND LIMITATIONS OF ON-SITE SOILS

The soil disturbance for the proposed work is limited to the total land disturbance acreage listed for each staging and laydown yard. Based on a review of the USDA Soil Survey of Washington County, New York, the original soils on the project site are listed and described in Figure 2 - USDA Soils Maps. A summary of the soil composition is shown in Table 3.

Table 3 - Soil Analysis Summary

Soil Name	Hydrologic Soil Group
CIA – Claverack loamy fine sand, 0-2% slopes	C/D
Wa – Wallington silt loam, sandy substratum	D

The Natural Resource Conservation Service (NRCS, formerly known as the SCS), as part of their soil classification system, assigns each soil series to a Hydrologic Soil Group (HSG). The HSG is a four-letter index intended to indicate the minimum rate of infiltration obtained after prolonged wetting, and to indicate the relative potential for a soil type to generate runoff. The infiltration rate is the rate at which water enters the soil at the soil surface. The HSG also indicates the transmission rate – the rate at which water moves within the soil. Soil scientists define the four groups as follows:

- HSG ‘A’ (sand, loamy sand, or sandy loam): Soils have low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to

excessively drained sands or gravels and have a high rate of water transmission (> than 0.30 inches/hour).

- HSG 'B' (silt loam or loam): Soils have moderate infiltration rates when thoroughly wetted, and consist chiefly of moderately deep to deep, moderately well to well drained soils with moderately fine to fine texture. These soils have a moderate rate of water transmission (0.15 to 0.30 inches/hour).
- HSG 'C' (sandy clay loam): Soils have low infiltration rates when thoroughly wetted and consist chiefly of soils with a layer that impedes downward movement of water, and soils with moderately fine to fine texture. These soils have a low rate of water transmission (0.05 to 0.15 inches/hour).
- HSG 'D' (clay loam, silty clay loam, sandy clay, silty clay, or clay): Soils have high runoff potential. They have very low infiltration rates when thoroughly wetted, and consist chiefly of clay soils with a high swelling potential, soils with a permanent high water table, soils with a clay pan or clay layer at or near the surface, and shallow soils over nearly impervious material. These soils have a very low rate of water transmission (< 0.05 inches/hour).
- If a soil is classified to a dual hydrologic group (A/D, B/D, or C/D), the first letter represents drained conditions and the second letter represents undrained conditions.

2.4 HISTORIC PLACES

The Cultural Resources Management Plan (CRMP) is included in Appendix O of the EM&CP.

3.0 SEQUENCE OF MAJOR ACTIVITIES

This SWPPP presents erosion and sediment controls, both temporary and permanent, to assist the operator in compliance with the project's SPDES General Permit for construction activity. To the degree practicable, all temporary erosion and sediment control mitigation measures shall be installed immediately before associated project areas are disturbed in anticipation of all soil disturbing activities to follow. Based upon NYSDEC regulations, 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 MS4 (provided the MS4 is not the owner or operator of the construction activity). The Town and Village of Fort Edward are currently MS4 communities located in the proposed project area.

It is the responsibility of the Contractor to ensure that all soils removed from the project site are spoiled in a manner consistent with all local, state, and federal regulations. Appropriate erosion and sediment controls shall be installed at all spoil sites. Additionally, the Contractor is responsible for coordinating the application for a GP-0-20-001 permit (and development of an associated SWPPP) if disturbance associated with any soil spoils area is greater than 0.4 hectares (1 acre). GP-0-20-001 applications must be signed by the owner of the lands on which soils are spoiled. Disturbances associated with offsite spoil areas do not contribute to the total disturbances associated with onsite activities.

Construction activities shall be scheduled by the Contractor with the intent to minimize the amount of disturbed soil exposed at any one time by area and length of time. In general, once work has been started on a particular phase or structure, this work shall be completed to the extent possible, before work on another phase or structure is started. The Contractor must submit a schedule of construction activities for approval by the Engineer prior to any disturbance to the site.

The project will be carried out as outlined as follow, while maintaining the amount of disturbed soil in compliance with the NYSDEC limit.

Construction Sequence (Disturbance acreage will vary)

1. Install stabilized construction entrance and temporary erosion and sediment control measures (installed in progressive phases).
2. Establish work area and contractor staging areas.
3. Perform initial clearing to remove vegetation (where required).
4. Perform site grading and install gravel access roads and ground stabilization if required due to site conditions. Ground stabilization shall generally consist of undercutting existing unsuitable topsoil (to be stockpiled on-site), proof rolling the subgrade, installing layers of geotextile fabric and geogrid, and installing an aggregate base. Additional ESCs will be installed at the direction of design engineers and environmental inspectors.
5. Install temporary electric utility tie-ins from nearby locations. Drill well at yard locations that do not have municipal water connections. Water well will be drilled by a NYSDEC licensed well driller and well installation will follow NYSDEC regulations for drilling notice. Registration and completion reports will be provided through the well drilling contractor. Holding tanks will be used at this time, however If local sewer is available connections will be explored at a later time.
6. Install fencing and gates, site lighting, modular trailer mounted offices, dumpsters, and Connex storage containers.
7. Install concrete pads for temporary structures such as Maintenance Shop, Cable Heating Building, Fueling pad, Fuel Truck Parking pad, and Equipment Wash pad.
8. Install temporary structures.
9. Restore all disturbed areas to pre-existing condition following project completion.
10. When all disturbed areas have been stabilized, remove all temporary sediment and erosion control measures.

3.1 NAME OF RECEIVING WATERS

Based on the existing topography on the project site, runoff is generally conveyed overland towards existing ditches, culverts, wetlands, and streams onsite and offsite. The Champlain Canal and its minor tributaries in Washington County are currently listed as 303(d) segments impaired by construction related pollutants (Appendix E of the GP-0-20-001 permit). However, it is not identified as an enhanced phosphorus watershed (Appendix C of the GP-0-20-001 permit).

The water quality of surface waters in New York State is classified by the New York State Department of Environmental Conservation as A, B, C, or D, with special classifications for water supply sources (AA). A “T” used with the classification indicates the stream supports, or may support, a trout population. Water quality standards are also provided. The standards apply the same classification system but, in some cases, are more stringent in an effort to eventually improve the water quality. The higher standard is most often used to reflect the existence or the potential for breeding trout (designation of (T) as discussed above). All surface waters with a Classification and/or a Standard of C (T), or better, are regulated by the State. A summary of the stream classifications is shown in Table 6.

Table 4 – Summary of Receiving Waters and Stream Classifications

Receiving Waterbody / Stream Name	NYSDEC Stream Classification	Waterbody Field ID	303(d) Segment Impaired
Unnamed Tributary to Champlain Canal	Unmapped	GP3-S	Yes

4.0 CONTROLS

4.1 PRE-CONSTRUCTION

Prior to construction, the Owner shall have the Contractors and subcontractors identify at least one (1) person from their company who meets the requirements of a Trained Contractor. A Trained Contractor will be responsible for installing, constructing, repairing, and replacing the erosion and sediment control (ESC) practices.

In addition, the Trained Contractor will be responsible for the implementation of the Stormwater Pollution Prevention Plan (SWPPP) and the inspection and maintenance in accordance with New York Standards and Specifications for Erosion & Sediment Control (Blue Book). The Owner's Representative shall ensure that at least one (1) Trained Contractor is on-site daily when soil disturbance activities are being performed. The Trained Contractor shall inspect the site's ESC practices daily to ensure these facilities are operational. Pre-construction requirements to be followed by the Owner and Contractors prior to the commencement of any construction activities are described in Appendix C.

4.2 TIMING OF CONTROLS/MEASURES

The erosion and sediment control measures shall be constructed prior to clearing or grading of any portion of the project. Where land disturbance is necessary, temporary seeding or mulching must be used on areas which will be exposed for more than 14 days. Permanent stabilization should be performed as soon as possible after completion of grading. As project areas are stabilized, the accumulated sediment shall be removed from the stabilized area. Erosion control devices shall remain in place until disturbed areas are permanently stabilized. The soil stabilization measures selected shall be in conformance with the most current version of the technical standard, New York Standards and Specifications for Erosion and Sediment Control.

4.3 EROSION AND SEDIMENT CONTROLS / STABILIZATION PRACTICE

Applicable erosion and sediment control measures and details are included in Appendix B. Specific final stabilization methods are provided within the plan set.

4.3.1 Temporary Stabilization

Topsoil stockpiles, staging areas and disturbed pervious portions of the project area where construction activity temporarily ceases for at least 14 days shall be stabilized with temporary seed and mulch or with approved stabilization method per the NYSDEC Standards and Specifications for Erosion Control no later than 14 days from the last construction activity in that area.

Temporary seed shall be ryegrass applied at the rates specified below:

- If seeding in spring, summer or early fall then seed with annual or winter rye at a rate of 30 lbs per acre. If area is to remain stabilized over the winter into the following spring use winter rye only.
- If seeding in late fall or early winter, use certified Aroostook winter rye (cereal rye) at a rate of 90 lbs per acre.

Any seeding method may be used that will provide uniform application of seed to the area and result in relatively good soil to seed contact. Area must be free of large rocks and debris and seeded within 24 hours of disturbance or scarification of the soil surface will be necessary prior to seeding. Fertilizer or lime is not typically used for temporary plantings.

Mulch shall be applied in conjunction with seeding and applied at the rate of 90 lbs per 1000 square feet. Mulch shall be reapplied as necessary. Areas of the project area, which are to be paved, shall be temporarily stabilized by applying temporary gravel subbase until pavement can be applied.

Sediment control fencing shall be installed around the site where depicted on the attached plan sheets. Prior to commencing any earthwork, a stabilized construction entrance shall be installed as indicated on the attached plans. This entrance shall be utilized as the exclusive construction

entrance and exit to the construction areas. Construction traffic shall be limited to the construction entrance.

4.3.2 Permanent Stabilization

Disturbed portions of the project area where construction activities permanently cease shall be stabilized with permanent seed no later than 14 days after the last construction activity. The permanent seed mix shall be in accordance with the project specifications and plans. Construction and maintenance of erosion and siltation control measures are in accordance with the New York Standards and Specifications for Erosion and Sediment Control.

Where construction activity is complete over areas to be permanently vegetated, stabilize with permanent seeding. Verify seeding dates with engineer. If engineer determines that seed cannot be applied due to climate, topsoil shall not be spread and mulching shall be applied to the exposed surface to stabilize soils until the next recommended seeding period. Other project areas shall be permanently stabilized with pavement, concrete, gravel or building structures.

4.4 WINTER OPERATIONS

If construction activities proceed through the winter season, access points should be enlarged and stabilized to provide for snow stockpiling. Drainage structures should be kept open and free of potential snow and ice dams. Inspection and maintenance are necessary to ensure the function of these practices during runoff events. For sites where construction activities temporarily cease, temporary and/or permanent soil stabilization measures shall be installed within seven (7) days from the date the soil disturbing activity ceased. Disturbed areas should be stabilized with seed and mulch, or other approved methods, even if the ground is covered by significant amounts of snow.

4.4.1 Winter Shutdown

Site inspections (by the qualified inspector) may be decreased to a minimum of one (1) time every thirty (30) days for sites where soil disturbing activities have been temporarily suspended and all disturbed areas have been temporarily stabilized with an approved method. Inlet protection should

be installed and/or repaired before shutdown of the site. The owner or operator shall provide written notification to the respective DEC regional office prior to reducing the frequency of any site inspections.

4.4.2 Final Site Inspection

The qualified inspector shall perform a final inspection of the site to certify that:

- All disturbed areas have achieved final stabilization;
- Temporary erosion and sediment control practices have been removed; and
- Post-construction stormwater management practices (if required) have been constructed in conformance with the SWPPP.

Upon satisfactory completion of the final site inspection, the qualified inspector shall sign the appropriate sections of the Notice of Termination (NOT) form included in Appendix F.

4.5 OTHER CONTROLS

4.5.1 Waste Disposal

Solid Waste – Waste materials will be collected and stored in a secured area until removal and disposal by a licensed solid waste management company. All trash and construction debris from the project area will be disposed of in a portable container unit (dumpster). No waste materials will be buried. All personnel will be instructed regarding the correct procedure for waste disposal. Notices stating these practices will be posted in the project trailer and the individual who manages day-to-day project operations will be responsible for seeing that these procedures are followed.

Petroleum Impacted Waste – During the excavation activities, there is the potential that petroleum impacted soils may be encountered. In the event that field evidence of contamination is identified during the project, potentially contaminated soils will be segregated and stockpiled on polyethylene sheeting and covered in a predetermined staging area. The potentially impacted, stockpiled soils will then be sampled to determine if the soils are suitable for use as clean backfill. In the event that the soils are not suitable for re-use, the contaminated soil will be properly characterized and disposed of at an off-site NYSDEC permitted facility in accordance with the Soil Management Plan. The excavation will then be backfilled with clean, imported fill. The NYSDEC Spills hotline number is 1-800-457-7362.

Hazardous Waste - All hazardous waste materials shall be disposed of in a manner specified by local or state regulations or by the manufacturer. Project personnel shall be instructed in these practices and the individual who manages day-to-day project operations shall be responsible for seeing that these practices are followed.

Sanitary Waste - Any sanitary waste from portable units shall be collected from the portable units by a licensed sanitary waste management contractor, as required by NYSDEC regulations.

4.5.2 Sediment Tracking by Vehicles

A stabilized construction entrance shall be installed (where depicted on attached plan) and maintained as necessary to help reduce vehicular tracking of sediment. The entrance shall be cleaned of sediment and redressed when voids in the crushed stone become filled and vehicular tracking of sediment is occurring. Dump trucks hauling materials to and from the construction project area shall be covered with a tarpaulin to reduce dust. Any sediment and debris tracked from work area along project adjacent roadways shall be immediately removed with a street sweeper or equivalent sweeping method. Further, sweeping of streets adjacent to disturbed areas shall be performed prior to the end of each work day (at a minimum) when tracking of sediment is occurring.

4.5.3 Non-Stormwater Discharges

Non-stormwater discharges are not expected to exit the project area during construction.

4.6 CERTIFICATION OF COMPLIANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS

The stormwater pollution prevention plan reflects the New York State requirements for stormwater management and erosion and sediment control. To ensure compliance, this plan was prepared in accordance with New York State Standards. There are no other applicable State or Federal requirements for sediment and erosion plans (or permits), or stormwater management plans (or permits).

5.0 POST-CONSTRUCTION STORMWATER MANAGEMENT

The proposed project has been designed in accordance with the New York State Stormwater Management Design Manual (January 2015) and the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001). Based on the Appendix B Table 1 of the SPDES General Permit GP-0-20-001, any construction activities that involves only temporary access roads, median crossovers, detour roads, lanes, or other impervious areas that will be restored to pre-construction conditions once the construction activity is complete will require a SWPPP that only includes ESC and weekly field inspections during construction.

Hence, the proposed project contains no increase in impervious area, and it is not anticipated to contribute a significant pollutant load within the watershed or to downstream waterbodies. As such, peak flow mitigation and water quality treatment are not included as a part of this project, and post construction stormwater management practices are not proposed. Detailed erosion and sediment control measures have been developed and will be implemented during construction in order to stabilize disturbed areas.

5.1.1 Floodplains

Based on a review of the FEMA Flood Insurance Rate Maps for the Town and Village of Fort Edward, Washington County, NY, none of the proposed Fort Edward Staging and Laydown Yard work is located within the approximate 100-year flood plain area Zone A (see Figures 3A and 3B - FEMA FIRM Maps). Temporary soil disturbance at the site location will be minimized and no grading changes will be made, thus, the base flood elevations will not be impacted within the proposed project work area.

6.0 MAINTENANCE/INSPECTION PROCEDURES

6.1 EROSION AND SEDIMENT CONTROL INSPECTION AND MAINTENANCE PRACTICES

These are the minimum required inspection and maintenance practices that shall be used to maintain erosion and sediment controls:

6.1.1 Owner/Operator Inspection Requirements

- Prior to construction activity the owner/operator shall have contractors and subcontractors identify a trained individual responsible for the implementation of the SWPPP. The trained individual must be on-site on a daily basis when soil disturbing activities are occurring. During each work day, all erosion control devices will be inspected in each work area and repaired (if necessary) to ensure proper functioning.
- Inlet protection will be provided to prevent sediment-laden runoff from entering adjacent drainage systems. Within State highway right-of-way, inlet protection will be provided in accordance with the Highway Design manual and the highway work permit issued by NYSDOT. Alternatively, with approval of DPS and NYSDEC, silt sacks may be used. Inlet protection will be inspected after every major rain event.
- The owner/operator shall inspect the erosion and sediment control measures as identified in the SWPPP to ensure that they are being maintained in effective operating conditions at all times. Where soil disturbing activities temporarily cease (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the owner/operator can stop conducting inspections. The owner/operator shall resume inspections when soil disturbing activities begin again.
- Where soil disturbing activities have ceased with partial project completion, the owner/operator can stop conducting inspections when disturbed areas have reached final stabilization. All post construction stormwater management practices required for the completed areas shall have been constructed in conformance with the SWPPP and be fully operational. Final stabilization means that all soil disturbance activities have ceased and a uniform, no 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.

- The owner/operator shall notify Department of Public Service (DPS) and the DEC Regional Office's stormwater contact person prior to any reduction in the frequency of site inspections.
- The owner/operator shall retain copies of the NOI, NOI acknowledgment letter, SWPPP, MS4 SWPPP acceptance form and any inspection reports submitted in conjunction with this permit and records or all data used to complete the NOI to be covered by this permit for a period of at least five (5) years from the date that the site is finally stabilized. Copies of the NOI and NOI acknowledgment letter are included in Appendix H.

6.1.2 Qualified Inspector Inspection Requirements

- The qualified inspector is defined as 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), licensed Landscape Architect, or other Department endorsed individual(s). It may also mean someone working under the direct supervision of the licensed Professional Engineer or licensed 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 the person has received four (4) hours of training endorsed by the Department and shall receive four (4) hours of training every three (3) years after the initial training.
- A site inspection shall be conducted at least once every seven (7) days by the qualified inspector when soil disturbing activities are occurring. A copy of the "Stormwater Construction Site Inspection Reports" is included in Appendix C of this plan.
- If any repairs or corrective actions are necessary, it is the responsibility of the qualified inspector to notify the owner/operator and appropriate contractor within one business day. The contractor shall begin implementing the corrective action within one business day of being notified.
- All inspection forms must be signed by a qualified inspector.
- For construction sites where soil disturbing activities are temporarily suspended, temporary stabilization measures shall be applied and the qualified inspector shall conduct a site inspection at least once every thirty (30) calendar days.

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- Where soil disturbing activities have ceased with partial project completion the qualified inspector can stop conducting inspections when disturbed areas have reached final stabilization and all post construction stormwater management practices required for the completed areas have been constructed in conformance with the SWPPP and are fully operational.
 - Where soil disturbing activities are not resumed within two (2) years, from the date of shut down of partial project completion, the qualified inspector shall perform a final inspection and certify that all disturbed areas have achieved final stabilization, all temporary and permanent erosion control measures have been removed, and post-construction stormwater management practices have been constructed in conformance with the SWPPP. Qualified inspector shall sign the “Final Stabilization” and “Post-Construction Stormwater Management Practice” certification statements on the Notice of Termination (NOT).

6.1.3 General Requirements

- A copy of the SPDES General Permit (GP-0-20-001), the signed Notice of Intent (NOI), NOI acknowledgement letter, SWPPP, MS4 SWPPP Acceptance Form, and inspection reports shall be maintained onsite until the site has achieved final stabilization.
- During construction it may be necessary to remove surface or subsurface water from work areas. Where dewatering of the trench is necessary, the discharges of water from the excavated trench will be pumped into a portable sediment tank. The intakes of the hoses used to withdraw the water from the trench will be elevated and screened to minimize pumping of the deposited sediments. Soil excavated from the hole shall be stockpiled separately within a straw bale/ silt fence barrier to prevent siltation into surrounding areas.
- Where there is not sufficient room in the right-of-way to utilize a portable sediment tank, commercial sediment filter bags may be used to remove sediments from dewatering effluent. The dewatering hose will be connected to a filter bag placed on the ground surface within a stabilized areas (e.g., vegetated, or permeable surface such as aggregate). Once passing through the filter bag, the dewatering effluent will be discharge onto a vegetated area. Additional erosion and sedimentation controls may be installed as determined by the Environmental Inspector. Sediment filter bags will be inspected regularly. The filter bag and accumulated sediment shall be disposed of in an upland location at least 100 feet from a wetland or waterbody, or disposed of offsite in a state approved solid waste disposal facility.
- Trapped sediment collected during dewatering activities shall be graded on the right-of-way in

areas where it cannot be washed into the adjacent stream, wetland, or other sensitive resource. Dewatering structures will be removed as soon as possible following the completion of dewatering activities.

- Any contaminated waters removed from a work site may not be discharged without a SPDES permit or must be discharged at a wastewater treatment plant following chemical analysis.
- Built up sediment shall be removed from any silt fence when it has reached one-third the height of the fence / dike.
- Sediment fencing shall be inspected for depth of sediment, and tears, to see if fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
- The construction entrance shall be cleaned of sediment and redressed when voids in the crushed stone become filled and vehicular tracking of sediment is occurring.
- Dust shall be controlled on access points and other disturbed areas subject to surface dust movement and blowing.
- Inspection must verify that all practices are adequately operational, maintained properly and that sediment is removed from all control structures.
- Inspection must look for evidence of soil erosion on the site, potential of pollutants entering drainage systems, problems at the discharge points, and signs of soil and mud transport from the site to the public road.

6.1.4 Dewatering Methods

All the procedures related to dewatering methods are described in the section 4.3.2 of the Environmental Management and Construction Plan (EM&CP) and Spill Prevention Control & Countermeasures Plan (SPCC) in Appendix K of the EM&CP.

The construction Contractor or applicable subcontractor will be responsible for providing a dewatering system for construction that is of adequate size and capacity to lower and maintain the groundwater at the specified level. The dewatering system will meet the following requirements:

- a) Utilize portable sediment tanks with elevated and screened intake hoses to withdraw water from the trench and to minimize pumping of deposited sediment. Where not practicable (ie. Due to space within the Road/Highway ROW) commercial sediment filter bags may be used (2012 BMPs, Section 4). A dewatering hose will be connected to a filter bag placed

on the ground surface within a stabilized area (2012 BMPs, Section 4). As needed additional erosion and sediment controls may be installed as determined by the Environmental Inspector. Sediment filter bags will be inspected regularly and disposed of in upland locations at least one hundred (100) feet from a wetland or waterbody or disposed of at an off-site disposal location included in the Soil Management Plan in Appendix L of the EM&CP (2012 BMPs, Section 4). A Sediment Dewatering Bag detail is provided on the Drawings in Appendix C of EM&CP to show the general design of one of the methods that may be utilized by the construction Contractor.

- b) Trapped sediment collected during dewatering activities shall be managed as excavated soil materials as described in the Soil Management Plan in Appendix L of the EM&CP.
- c) Include standby pumps and power sources for continuous operation.
- d) Consist of wellpoints, deep wells, cut-off walls, riser pipes, swing joints, header lines, valves, pumps, discharge lines, and all other necessary fittings, accessories, and equipment for a complete operating system; and
- e) Provide groundwater reading wells or piezometers (“observation wellpoints”) to monitor the groundwater level as indicated on the approved Drawings in Appendix C of EM&CP or as directed by the design Engineer.

The dewatering system will be kept in continuous operation from the time excavation is started in the dewatering area (or before if required by site conditions to lower groundwater to the elevations specified on the Drawings) until the time backfilling is completed at least two (2) feet above the normal groundwater level. All water removed from the excavation will be conveyed in a closed conduit. No trench excavations will be used as temporary drainage ditches. All water removed from the excavation will be disposed of by the construction Contractor in a manner that does not endanger public health, property, or any portion of the Project under construction or completed. If contaminated water is encountered during dewatering, the procedures described in the Soil Management Plan (Appendix L of the EM&CP) will be followed. Water disposal will not cause erosion or sedimentation to occur in existing wetland and stream resources areas, or other swales or water bodies.

6.1.5 Dust Control

The Certificate Holders and all Contractors will take appropriate measures to minimize fugitive dust and airborne debris from construction activity associated with Segment 4 construction (CC#64). Dust control will be used through dry weather periods until all disturbed areas are stabilized and will be controlled as needed based on site conditions. Only plain water will be used for dust suppression. Stabilized construction entrances for dust control will be consistent with NYSDEC stabilized construction entrance requirements (see Plan and Profile Drawings in Appendix C). All applicable regulations and standards related to dust control will be followed including the New York State Standards and Specifications for Erosion and Sediment Control (“Blue Book”) for dust control, pages 2.25.

7.0 INVENTORY FOR POLLUTION PREVENTION PLAN

The materials or substances listed below are expected to be within the project area during construction:

- Compost filter sock.
- Portland cement concrete
- Fertilizers / seeding materials.
- Stone.
- Bituminous asphalt.
- Petroleum based products.
- Silt fence fabric.
- Lumber.
- Pavement marking paint.
- PVC pipe.
- Glue and primer.
- HDD Fluid.
- Hydraulic fluid conductor.
- Matting.

8.0 SPILL PREVENTION

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

8.1 GOOD HOUSEKEEPING

The following good housekeeping practices shall be followed within project areas during construction:

- An effort shall be made to store only enough products required to do the job.
- All materials stored within project areas shall be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.
- Products shall be kept in their original containers with the original manufacturer's label.
- Substances shall not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, all of a product shall be used up before disposing of the container.
- Manufacturers' recommendations for proper use and disposal shall be followed.
- The Contractor shall inspect daily to ensure proper use and disposal of materials.

8.2 HAZARDOUS PRODUCTS

All the procedures related to hazardous materials and waste are described in the Spill Prevention Control & Countermeasures Plan (SPCC) in Appendix K of the EM&CP.

8.3 PRODUCT SPECIFIC PRACTICES

The following product-specific practices shall be followed within the project areas:

PETROLEUM PRODUCTS

All project related vehicles shall be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. Petroleum products shall be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used during construction shall be applied according to the manufacturer's recommendations.

Petroleum and Chemical handling procedures are outlined in the Spill Prevention Control Countermeasures Plan (SPCC). These procedures will be used to minimize the potential for spills of petroleum and hazardous substances, or other materials, that have the potential to pollute the environment and the response measures that will be implemented to contain, clean-up and dispose of any spilled substances during construction. The Certificate Holder will keep required parties appraised of on-site chemicals and waste stored within one hundred (100) feet of their Co-located Infrastructure (CI) or service area. These required parties include Local Fire Departments, Emergency Management Teams, and owners and operators of Co-located Infrastructure (Certificate Conditions (CC#34)).

In accordance with amended Certificate Conditions (CC#114), in general, and to the maximum extent practicable, refueling of equipment, storage mixing, or handling of open containers of pesticides, chemicals labeled “toxic,” or petroleum products, shall not be conducted within one hundred (100) feet of a stream or waterbody or wetland. Requirements for refueling within 100 feet of wetlands or streams will be allowed under certain circumstances identified below, subject to the practices set forth in the approved EM&CP.

1. Refueling of hand equipment will be allowed within 100 feet of wetlands or streams when secondary containment is used. Secondary containment will be constructed of an impervious material capable of holding the hand equipment to be refueled and at least 110% of the fuel storage container capacity. Fuel tanks of hand-held equipment will be initially filled in an upland location greater than 100 feet from wetlands or streams in order to minimize the amount of refueling within these sensitive areas. Crews will have sufficient spill containment equipment on hand at the secondary containment location to provide prompt control and cleanup in the event of a release.
2. Refueling of equipment will be allowed within 100 feet of wetlands or streams when necessary to maintain continuous operations and where removing equipment from a sensitive area for refueling would increase adverse impacts to the sensitive area. Fuel tanks of such equipment will be initially filled in an upland location greater than 100 feet from wetlands or streams in order to minimize the amount of refueling within these sensitive

areas. Absorbent pads or portable basins will be deployed under the refueling operation. In addition, the fuel nozzle will be wrapped in an absorbent pad and the nozzle will be placed in a secondary containment vessel (e.g., bucket) when moving the nozzle from the fuel truck to the equipment to be refueled. All equipment operating within 100 feet of a wetland or stream will have sufficient spill containment equipment on board to provide prompt control and cleanup in the event of a release.

3. Field personnel and Contractors shall be trained in spill response procedures, including the deployment and maintenance of spill response materials.

FERTILIZERS

Fertilizers used shall be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer shall be worked into the soil to limit exposure to stormwater. Fertilizers shall be stored in a covered or other contained area.

PAINTS

All containers shall be tightly sealed and stored when not required for use. Excess paint shall not be discharged to the storm sewer system but shall be properly disposed of according to manufacturer's instructions or State regulations.

CONCRETE TRUCKS

Protect all waters from contamination by deleterious materials such as wet concrete, gasoline, solvents, epoxy resins or other materials used during construction (2012 BMPs, Section 18). This will be accomplished primarily by preventing the storage or refueling of vehicles within 100 feet of streams and wetlands, properly maintaining and checking construction equipment for leaks, properly containing concrete washouts, and in most cases avoiding direct impacts to streams and other waterbodies.

After placement of concrete, wash water used to clean the concrete truck will be directed to a concrete washout structure at designated areas only. These concrete washout area(s) will be located a minimum of one hundred (100) feet from all wetlands, waterbodies, and drainage structures. Self-installed or prefabricated containers may be used and are intended to capture the wash water to allow for evaporation or off-site disposal. Washout structures or containers will be inspected after each use to determine if they are filled to seventy-five (75) percent of capacity and to make sure that the plastic linings are intact and not leaking. Material in washout structures or containers will be removed when they reach seventy-five (75) percent capacity.

WATERCOURSE PROTECTION

All the procedures related to stream and watercourse protection are described in Section 8.1 of the Environmental Management and Construction Plan (EM&CP).

8.4 SPILL CONTROL PRACTICES

Spill response and mitigation procedures will be implemented in the case of any accidental spills of chemical, fuel, or other toxic materials, as identified in Section 5.0 of the Environmental Management and Construction Plan (EM&CP). The spill response and cleanup procedures are outlined and described in the Spill Prevention, Control and Countermeasures Plan (SPCC).

The Certificate Holders shall notify DPS Staff and the New York State Department of Environmental Conservation (“NYSDEC”) immediately of any petroleum product spills. The Certificate Holders shall also notify owners and operators of CI of any petroleum product spills within one hundred (100) feet of their CI, provided however that in the case of CI located within CNY, the Certificate Holders shall advise CI owners and operators of petroleum product spills within three hundred (300) feet of such facilities.

9.0 UPDATING THE SWPPP

The SWPPP shall be updated/revised as conditions merit or as directed by the regulating authority. The attached inspection forms included with this document allows for the certification of any updates/revisions. The SWPPP shall be amended when modifications to the design, construction, operation, or maintenance of the project have been or will occur which could have an effect on the potential for discharge of pollutants in stormwater runoff. Amendments shall be documented within Appendix G of this SWPPP.

10.0 SWPPP CERTIFICATION

Contracting Firm Information:

Contracting Firm

Address

City/Town

State

Zip

Site Location:

Champlain Hudson Power Express

Segment 4 – Package 3

Fort Edward Staging and Laydown Yard

Washington County, New York

Contractor's Certification

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

Signature (Contractor/Subcontractor)

Date

For

Responsible For

Signature (Trained Contractor)

Date

For

Responsible For

Signature (Contractor/Subcontractor)

Date

For

Responsible For

Signature (Trained Contractor)

Date

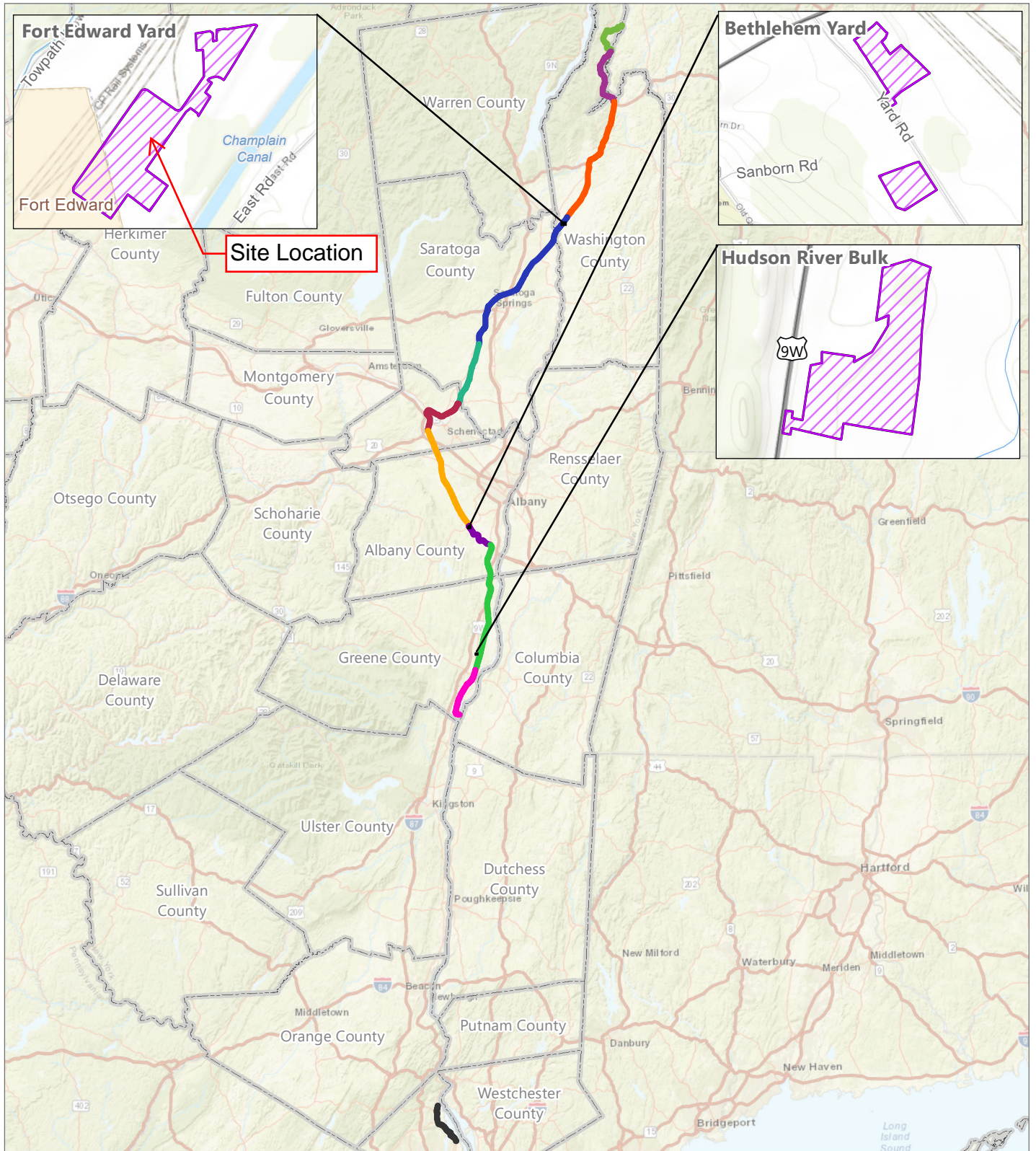
For

Responsible For

Appendix A

Figures

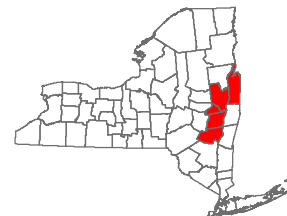
Figure 1. CHPE EM&CP Laydown Yards



CHPE EM&CP

Washington, Saratoga, Schenectady,
Albany, Greene and Rockland Counties,
New York

- CHPE EM&CP Filing Package
- Segment 1
 - Segment 2
 - Segment 3
 - Segment 4 & 5
 - Segment 6
 - Segment 7
 - Segment 8
 - Segment 9
 - Segment 10
 - Segment 11
 - Segment 12
 - Laydown Yard



0 2.5 5 10
Miles

Hydrologic Soil Group—Washington County, New York




FIGURE 2 - USDA SOILS MAP



MAP LEGEND

Area of Interest (AOI)









 Area of Interest (AOI)

Soils





Soil Rating Polygons





 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Lines


 A
 A/D
 B
 B/D
 C
 C/D
 D
 Not rated or not available

Soil Rating Points

 A
 A/D
 B
 B/D

 C
 C/D
 D
 Not rated or not available

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 1:20,000.

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

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

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

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Washington County, New York
 Survey Area Data: Version 22, Sep 10, 2022

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

Date(s) aerial images were photographed: Apr 1, 2020—Oct 1, 2020

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.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CIA	Claverack loamy fine sand, 0 to 2 percent slopes	C/D	8.5	65.1%
Wa	Wallington silt loam, sandy substratum	D	4.6	34.9%
Totals for Area of Interest			13.1	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

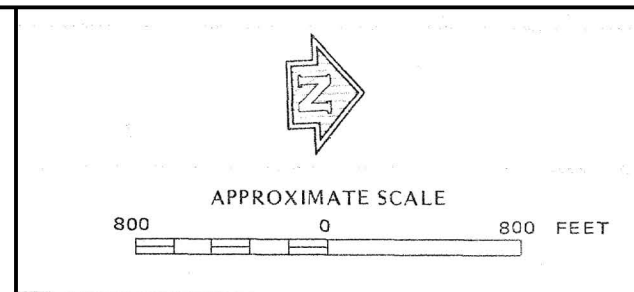
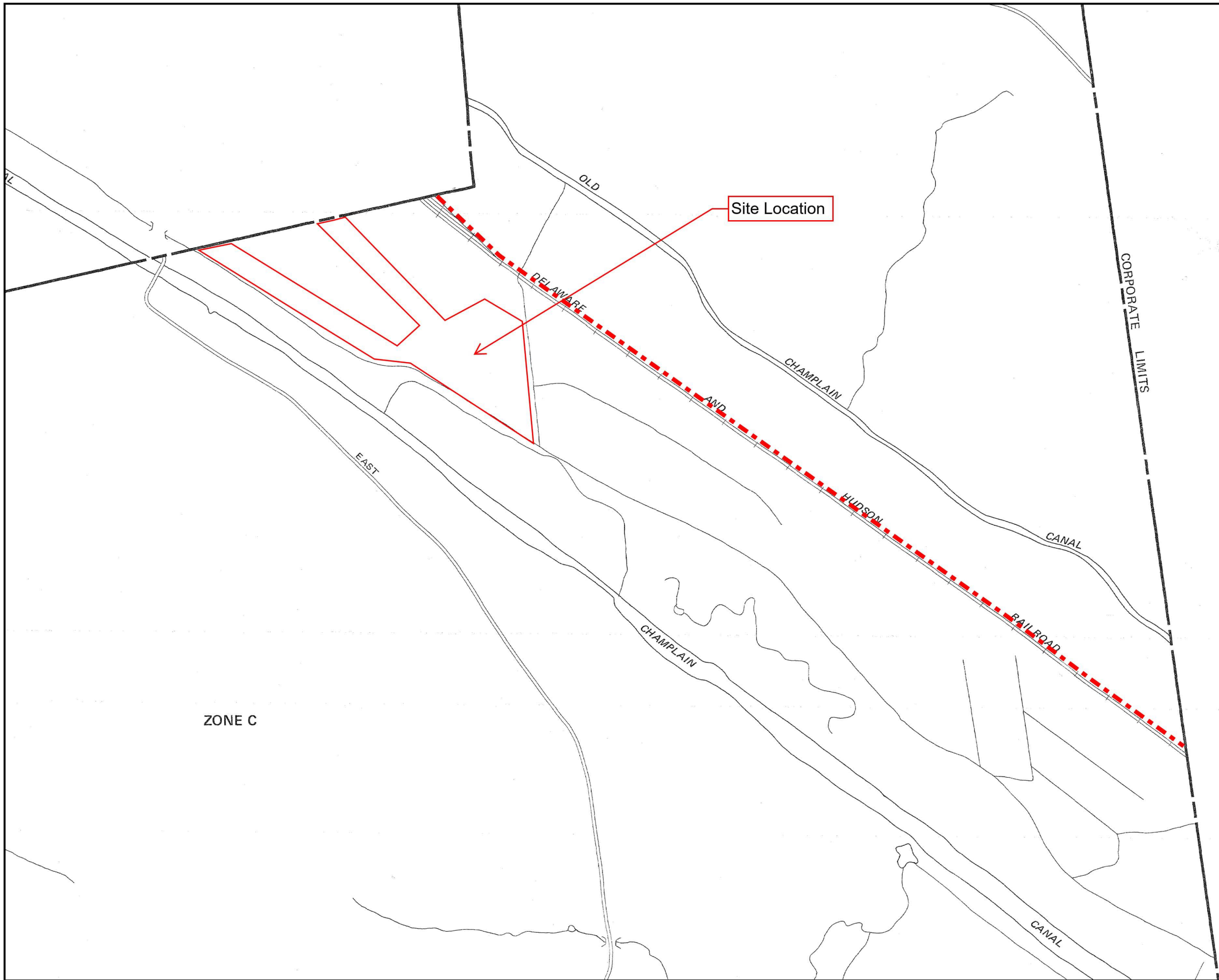
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher



NATIONAL FLOOD INSURANCE PROGRAM


FIRM
FLOOD INSURANCE RATE MAP

TOWN OF
FORT EDWARD,
NEW YORK
WASHINGTON COUNTY

PANEL 10 OF 10
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
360885 0010 A

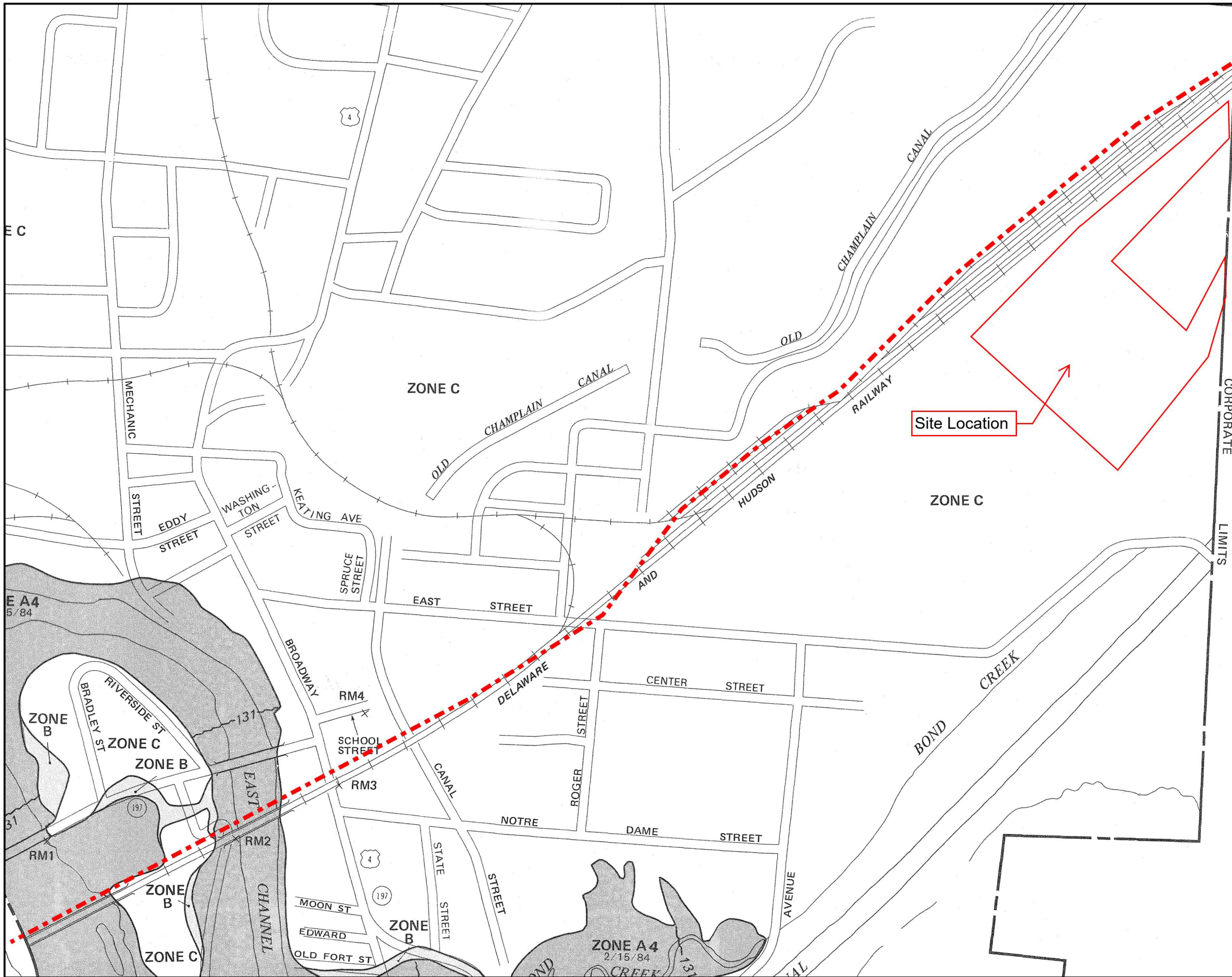
EFFECTIVE DATE:
DECEMBER 15, 1982



Federal Emergency Management Agency

FIGURE 3A - FEMA FIRM MAP

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



Program, at 10007 000 0020.

APPROXIMATE SCALE
500 0 500 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

VILLAGE OF
FORT EDWARD,
NEW YORK
WASHINGTON COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER
361536 0001 C
MAP REVISED:
FEBRUARY 15, 1984

Federal Emergency Management Agency

FIGURE 3B - FEMA FIRM MAP

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Appendix B
Grading and Erosion Sediment
Control Plans and Details

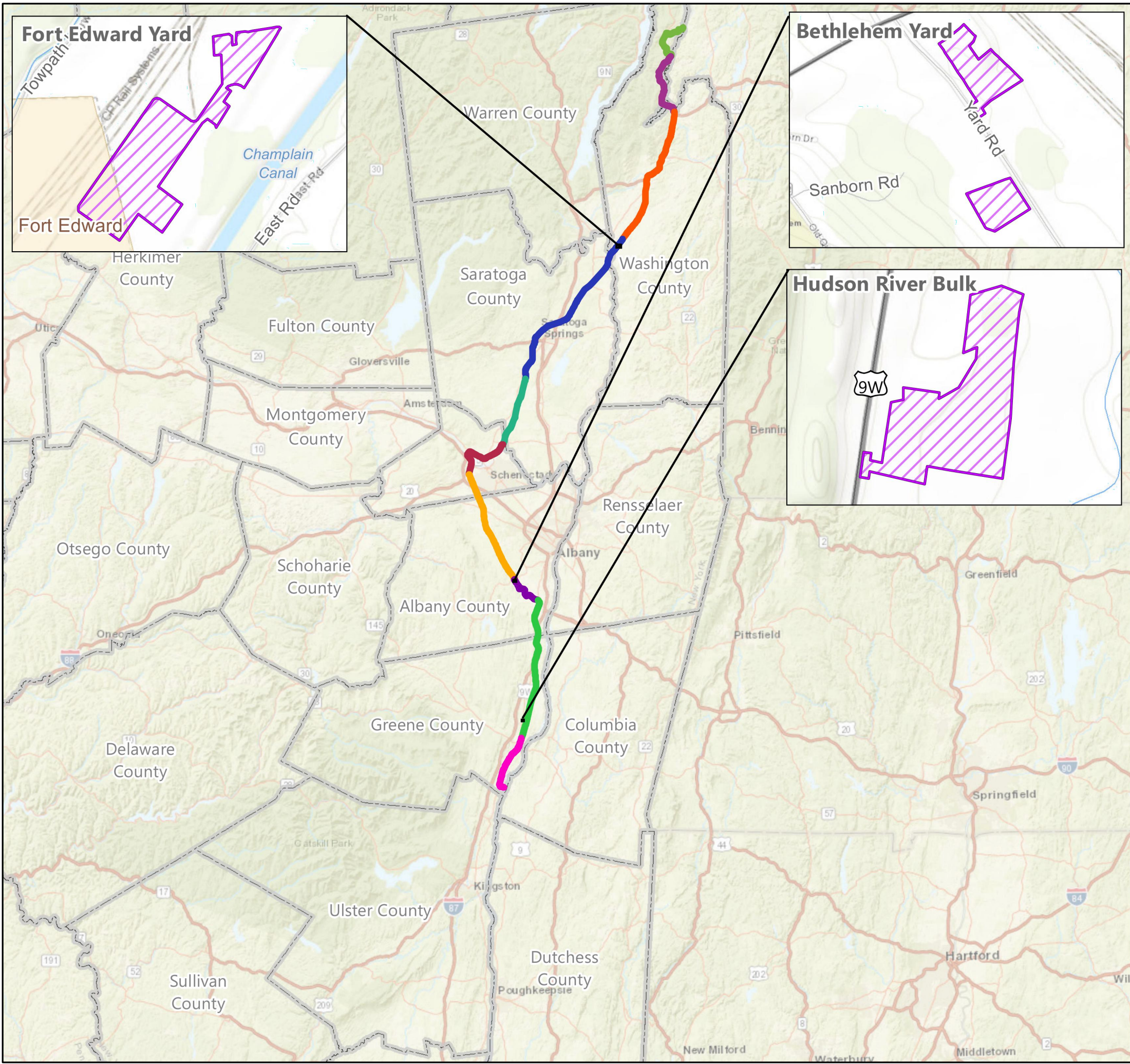
CHAMPLAIN HUDSON POWER EXPRESS

PROJECT WIDE LAYDOWN YARD PACKAGE

WASHINGTON, ALBANY AND GREENE COUNTIES, NEW YORK

FINAL EM&CP SUBMISSION

(JANUARY 20, 2023)



SITE LOCATION MAP
NOT TO SCALE



NOT FOR CONSTRUCTION
FOR EM&CP PERMIT ONLY



IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

1	01/20/2023	REVISED PER DPS COMMENTS	JM	JR	
0	11/11/2022	FINAL EM&CP SUBMISSION	JM	JR	
No.	DATE	SUBMITTAL / REVISION DESCRIPTION	DB	APP	

CHAMPLAIN HUDSON POWER EXPRESS
PROJECT WIDE LAYDOWN YARD PACKAGE
COVER SHEET

DRAWN BY: JJE DESIGNED BY: JTM APPROVED BY: JPR SCALE AS NOTED
REV. NO. X

KIEWIT PROJECT NO.	21162
CHA PROJECT NO.	066076
DRAWING NO.	G-000
DATE	11/11/2022
XXX	

EROSION CONTROL NOTES

- LAND DISTURBING ACTIVITIES SHALL NOT COMMENCE UNTIL APPROVAL TO DO SO HAS BEEN RECEIVED BY GOVERNING AUTHORITIES.
2. THE GENERAL CONTRACTOR SHALL STRICTLY ADHERE TO THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND FOLLOW THE EM&CP DOCUMENTS DURING CONSTRUCTION OPERATIONS.
3. NO LAND CLEARING OR GRADING SHALL BEGIN UNTIL ALL PERIMETER EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. (WETLAND PROTECTION FENCE, SILT FENCE AND STABILIZED CONSTRUCTION ENTRANCE)
4. SITE DISTURBANCE SHALL NOT EXCEED FIVE (5) ACRES OF SOIL AT ANY ONE TIME WITHOUT PRIOR WRITTEN AUTHORIZATION FROM NYSDEC DIVISION OF WATER.
5. ALL EXPOSED AREAS SHALL BE SEEDED AND MULCHED AS SPECIFIED WITHIN 14 DAYS OF FINAL GRADING (DURING WINTER STABILIZATION, THIS TIMEFRAME IS 3 DAYS AND MUST BEGIN WITHIN 24 HOUR OF DISTURBANCE). FOR DISTURBED WETLAND, STEEP SLOPES AND SENSITIVE AREAS, AREA TO BE RESTORED IN ACCORDANCE WITH THE EM&CP SECTIONS 9 AND 13.
6. INACTIVE PORTIONS OF THE SITE ARE TO BE SEEDED AND MULCHED AS SPECIFIED WITHIN 14 DAYS (DURING WINTER STABILIZATION, THIS TIMEFRAME IS 3 DAYS AND MUST BEGIN WITHIN 24 HOUR OF DISTURBANCE). FOR DISTURBED WETLAND, STEEP SLOPES AND SENSITIVE AREAS, AREA TO BE RESTORED IN ACCORDANCE WITH THE EM&CP SECTIONS 9 AND 13.
7. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSPECTED AT LEAST ONCE EVERY SEVEN (7) DAYS OR MORE FREQUENTLY IF REQUIRED. ALL MAINTENANCE REQUIRED BY INSPECTION SHALL COMMENCE WITHIN 24 HOURS AND BE COMPLETED WITHIN 48 HOURS OF REPORT.
8. THIS PLAN SHALL NOT BE CONSIDERED ALL INCLUSIVE AS THE GENERAL CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SOIL SEDIMENT FROM LEAVING THE SITE.
9. GENERAL CONTRACTOR SHALL COMPLY WITH ALL STATE AND LOCAL ORDINANCES THAT APPLY.
10. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY FOLLOWING SITE INSPECTION. THE SWPPP AND/OR ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES IF THE INSPECTOR DEEMS NECESSARY.
11. GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO TAKE REASONABLE MEANS NECESSARY TO ESTABLISH PERMANENT SOIL STABILIZATION.
12. AT THE END OF EACH WORK DAY DISTURBED SOILS ARE TO BE REGRADED TO DRAIN INTO TEMPORARY DIVERSION SWALES OR SEDIMENT CONTROL PRACTICES.
13. CONCRETE WASHOUTS DEPICTED ON PLANS ARE FOR REFERENCE ONLY. CONTRACTOR TO FIELD LOCATE WASHOUTS AS NECESSARY. FIELD LOCATED WASHOUTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE EM&CP AND SHALL BE A MINIMUM OF 100' FROM ADJACENT WETLANDS AND 200' FROM ANY EXISTING WELLS.

SHEET INDEX

SHEET INDEX	
Sheet Number	Sheet Title
G-000	COVER SHEET
G-001	GENERAL NOTES AND SHEET INDEX
G-003	LEGENDS AND ABBREVIATIONS
C-201A	FORT EDWARD LAYDOWN AREA A (SEGMENT 4, PACKAGE 3)
C-201B	FORT EDWARD LAYDOWN AREA B (SEGMENT 4, PACKAGE 3)
C-202	BETHLEHEM LAYDOWN YARD (SEGMENT 9 – PACKAGE 5B)
C-203	COXSACKIE – HUDSON RIVER LAYDOWN YARD (SEGMENT 10, PACKAGE 6)
C-601	EROSION AND SEDIMENT CONTROL DETAILS
C-602	EROSION AND SEDIMENT CONTROL DETAILS
C-632	TYPICAL CULVERT INSTALLATION AND REPLACEMENT DETAILS

1. INSTALL STABILIZED CONSTRUCTION ENTRANCE AND TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES (INSTALLED IN PROGRESSIVE PHASES).
2. ESTABLISH WORK AREA AND CONTRACTOR STAGING AREAS.
3. PERFORM INITIAL CLEARING TO REMOVE VEGETATION (WHERE REQUIRED).
4. PERFORM SITE GRADING AND INSTALL GRAVEL ACCESS ROADS AND GROUND STABILIZATION IF REQUIRED DUE TO SITE CONDITIONS. GROUND STABILIZATION SHALL GENERALLY CONSIST OF UNDERCUTTING EXISTING UNSUITABLE TOPSOIL (TO BE STOCKPILED ON-SITE), PROOF ROLLING THE SUBGRADE, INSTALLING LAYERS OF GEOTEXTILE FABRIC AND GEGRID, AND INSTALLING AN AGGREGATE BASE. ADDITIONAL ESCS WILL BE INSTALLED AT THE DIRECTION OF DESIGN ENGINEERS AND ENVIRONMENTAL INSPECTORS.
5. INSTALL TEMPORARY ELECTRIC UTILITY TIE-INS FROM NEARBY LOCATIONS. DRILL WATER WELL AT COXSACKIE-HUDSON RIVER BULK YARD, AND TIE INTO PUBLIC WATER SYSTEM AT FORT EDWARD AND BETHLEHEM YARDS. WATER WELL AT COXSACKIE-HUDSON RIVER YARD WILL BE DRILLED BY A NYSDC LICENSED WELL DRILLER AND WELL INSTALLATION WILL FOLLOW NYSDC REGULATIONS FOR DRILLING NOTICE. REGISTRATION AND COMPLETION REPORTS WILL BE PROVIDED THROUGH THE WELL DRILLING CONTRACTOR. SANITARY HOLDING TANKS WILL BE UTILIZED AT EACH LAYDOWN YARD, SEE SECTION 5.3.2 FOR DETAILS PERTAINING TO PRECAUTIONARY MEASURES AND SERVICING.
6. INSTALL FENCING AND GATES, SITE LIGHTING, MODULAR TRAILER MOUNTED OFFICES, DUMPSTERS, AND CONNEX STORAGE CONTAINERS.
7. INSTALL CONCRETE PADS FOR TEMPORARY STRUCTURES SUCH AS MAINTENANCE SHOP, CABLE HEATING BUILDING, FUELING PAD, FUEL TRUCK PARKING PAD, AND EQUIPMENT WASH PAD.
8. INSTALL TEMPORARY STRUCTURES.
9. AT THE COMPLETION OF CONSTRUCTION, CONTRACTOR WILL RESTORE THE SITE TO EXISTING CONDITIONS IN ACCORDANCE WITH CHAPTER 13 OF THE EM&CP.

B



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1	01/20/2023	REVISED PER DPS COMMENTS	JM	JR
0	11/11/2022	FINAL EM&CP SUBMISSION	JM	JR
No.	DATE	SUBMITTAL / REVISION DESCRIPTION	DB	APP

CHAMPLAIN HUDSON POWER EXPRESS

PROJECT WIDE LAYDOWN YARD PACKAGE

GENERAL NOTES AND SHEET INDEX

KIEWIT PROJECT NO.
21162
CHA PROJECT NO.
066076
DRAWING NO.

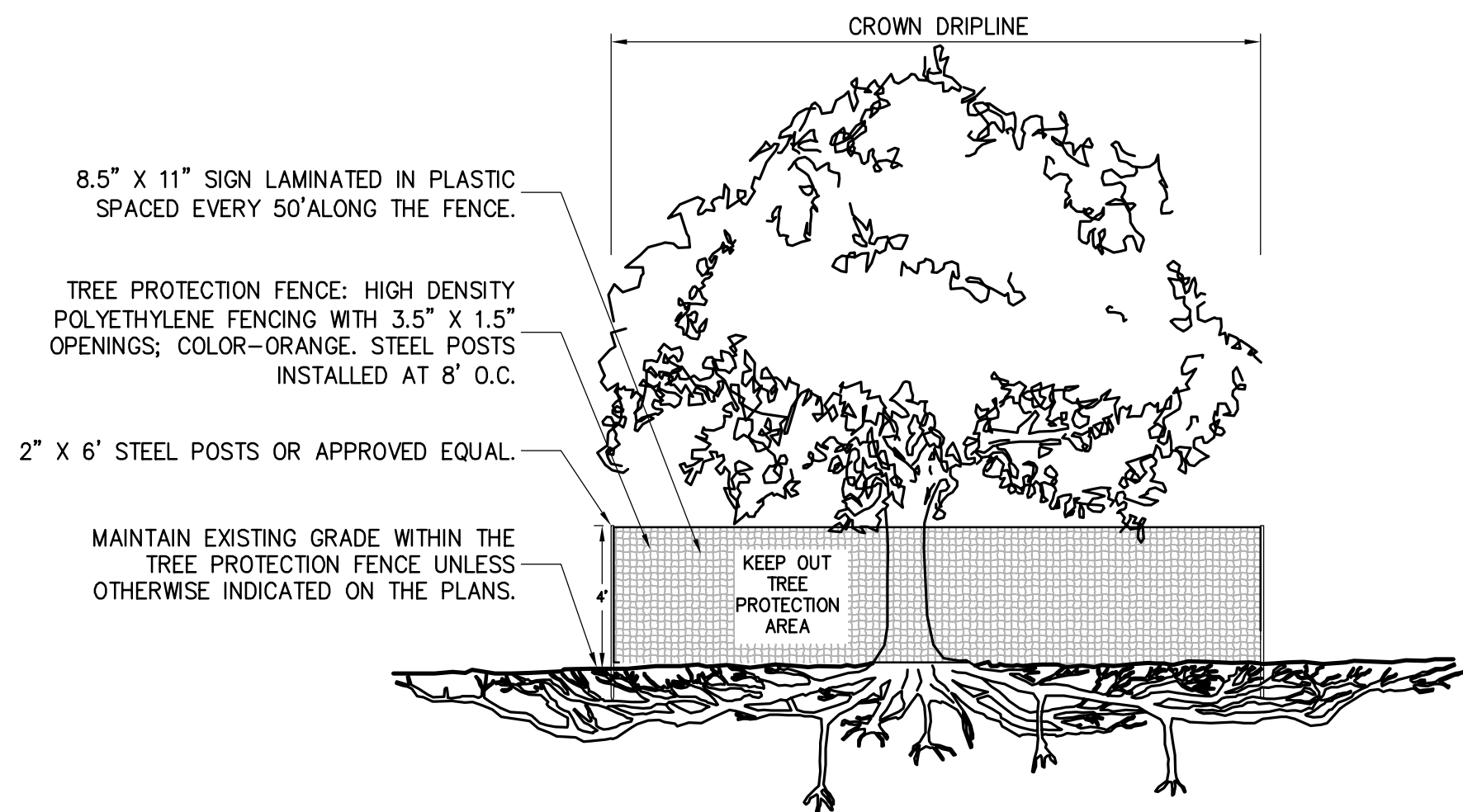
G-001

DATE	11/11/2022
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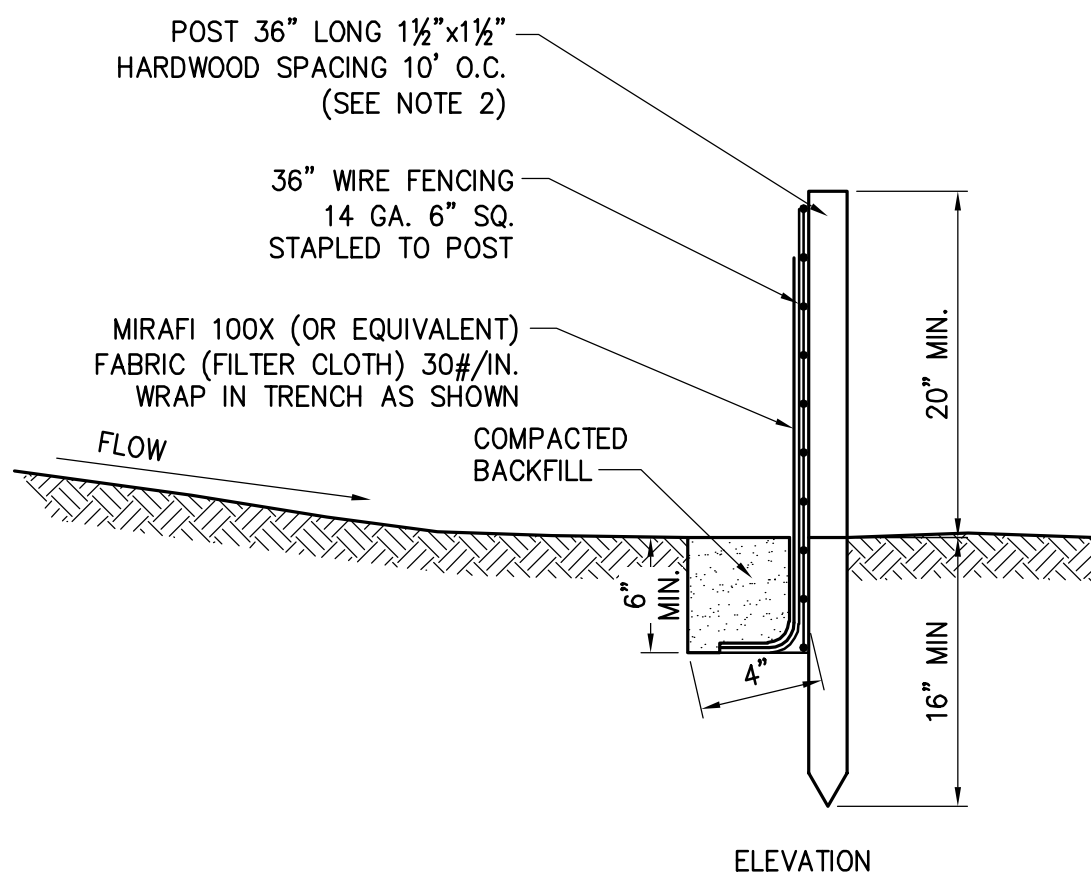
KIEWIT PROJECT NO.
21162
CHA PROJECT NO.
066076
DRAWING NO.
G-003
DATE 11/11/2022



- NOTES:
1. CONTRACTOR TO MAINTAIN INTEGRITY OF CONSTRUCTION FENCE FOR DURATION OF PROJECT.
 2. NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.
 3. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.
 4. SEE EROSION CONTROL PLANS FOR LOCATIONS OF TREE PROTECTION AREAS.

1 TREE PROTECTION

NOT TO SCALE

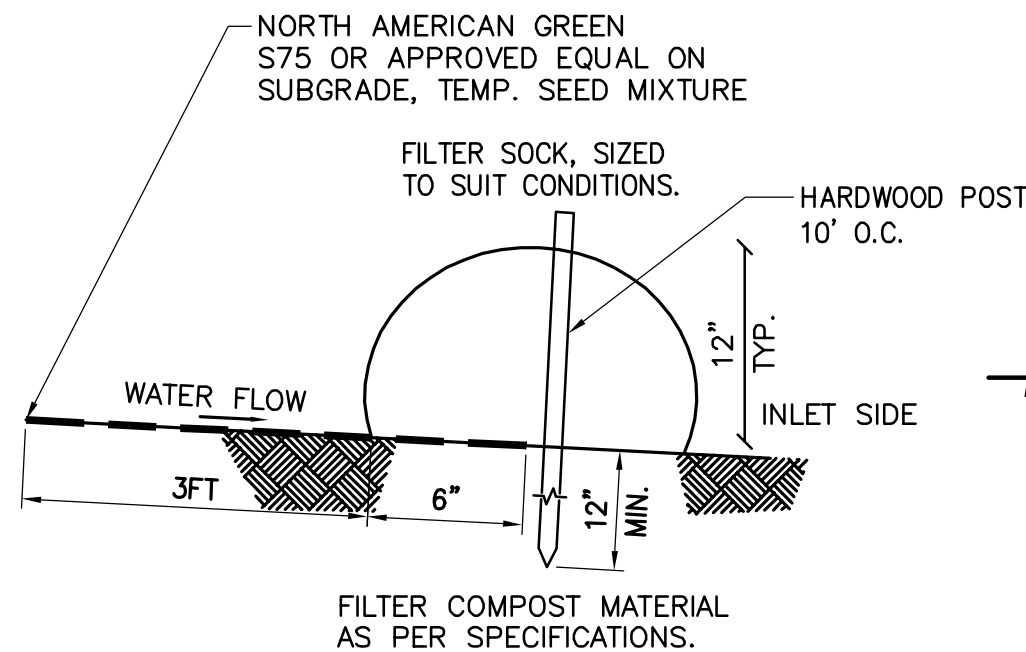


3 SILT FENCE

SCALE: N.T.S.

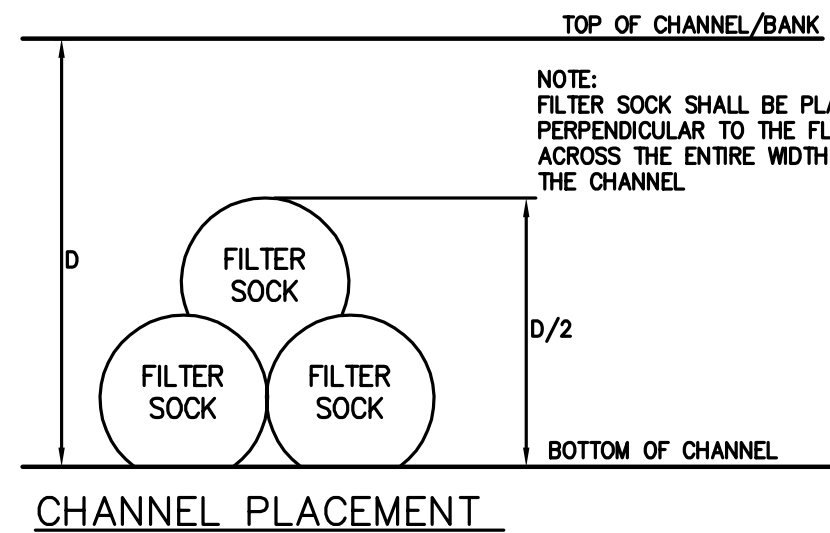
NOTES:

1. TIE FABRIC TO WIRE FENCE IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.
2. IF EXTRA STRENGTH FABRIC (GREATER THAN 50#/INCH) IS USED, WIRE CAN BE DELETED IF POST SPACING IS REDUCED TO 6' O.C.
3. AT THE ENDS OF THE FENCING THE FIRST 20' SHALL BE TURNED UP THE SLOPE 2'.
4. POSTS SHOULD BE INCLINED TOWARD THE DIRECTION FLOW CAME FROM.
5. OVERLAP FABRIC A MINIMUM OF 6" AND FOLDED AT JOINTS. ATTACH FILTER FABRIC TO STAKES ALLOWING EXTENSION INTO TRENCH AS SHOWN; SECURE TO STAKES AS NOTED.
6. THE MAXIMUM AREA OF RUNOFF PER 100LF. OF FENCE SHALL NOT EXCEED 0.25 ACRES.
7. MAINTENANCE SHALL BE PERFORMED AS NECESSARY. THE FENCING SHALL BE CHECKED AFTER EVERY STORM TO ENSURE THEIR PROPER FUNCTIONING.
8. WHEN FENCE IS NO LONGER NEEDED, THE ACCUMULATED SILT, THE POSTS AND FABRIC SHALL BE REMOVED AND TRENCH BACK FILLED WITH TOPSOIL AND SEEDED.
9. FENCING SHOULD BE PLACED AS SHOWN ON THE DRAWING OR IF NOT SHOWN, 10' BEYOND THE TOE OF THE SLOPE AND AT A SPACING IN ACCORDANCE WITH THE TABLE.
10. EXCAVATE TRENCH AS PER DETAIL AND SET POSTS AT 10' O.C.
11. BACKFILL WITH COMPACTED, EXCAVATED SOIL FROM TRENCH.

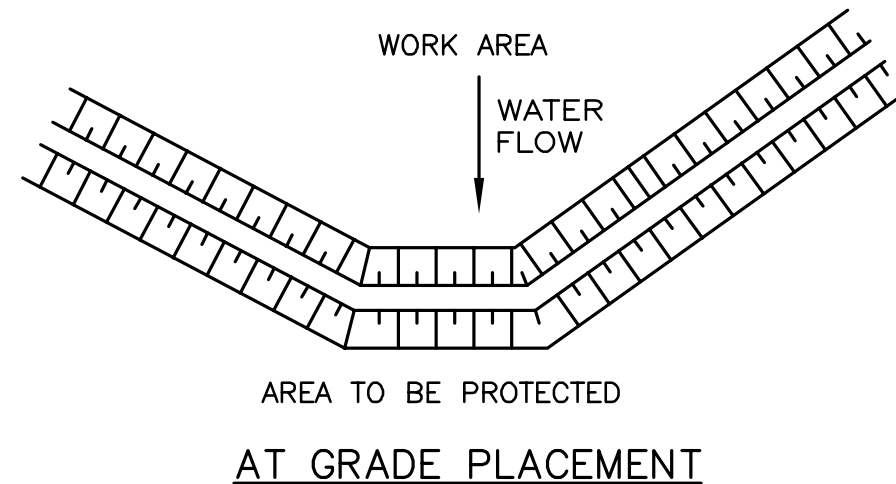


NOTES:

1. ALL MATERIAL TO MEET MANUFACTURER SPECIFICATIONS.
2. ALL FILTER SOCKS SHALL BE 12" DIAMETER OR LARGER.
3. THE CONTRACTOR SHALL MAINTAIN THE COMPOST FILTER BERM IN A FUNCTIONAL CONDITION AT ALL TIMES AND IT SHALL BE ROUTINELY INSPECTED.
4. WHERE THE BERM REQUIRES REPAIR, IT WILL BE ROUTINELY REPAIRED.
5. THE CONTRACTOR SHALL REMOVE SEDIMENTS COLLECTED AT THE BASE OF THE BERM WHEN THEY REACH 1/3 OF THE EXPOSED HEIGHT OF THE BERM, OR AS DIRECTED BY THE OWNERS.
6. THE COMPOST FILTER BERM WILL BE REMOVED ON SITE WHEN NO LONGER REQUIRED, AS DETERMINED BY THE OWNERS.
7. INSTALL PERPENDICULAR TO FLOW.

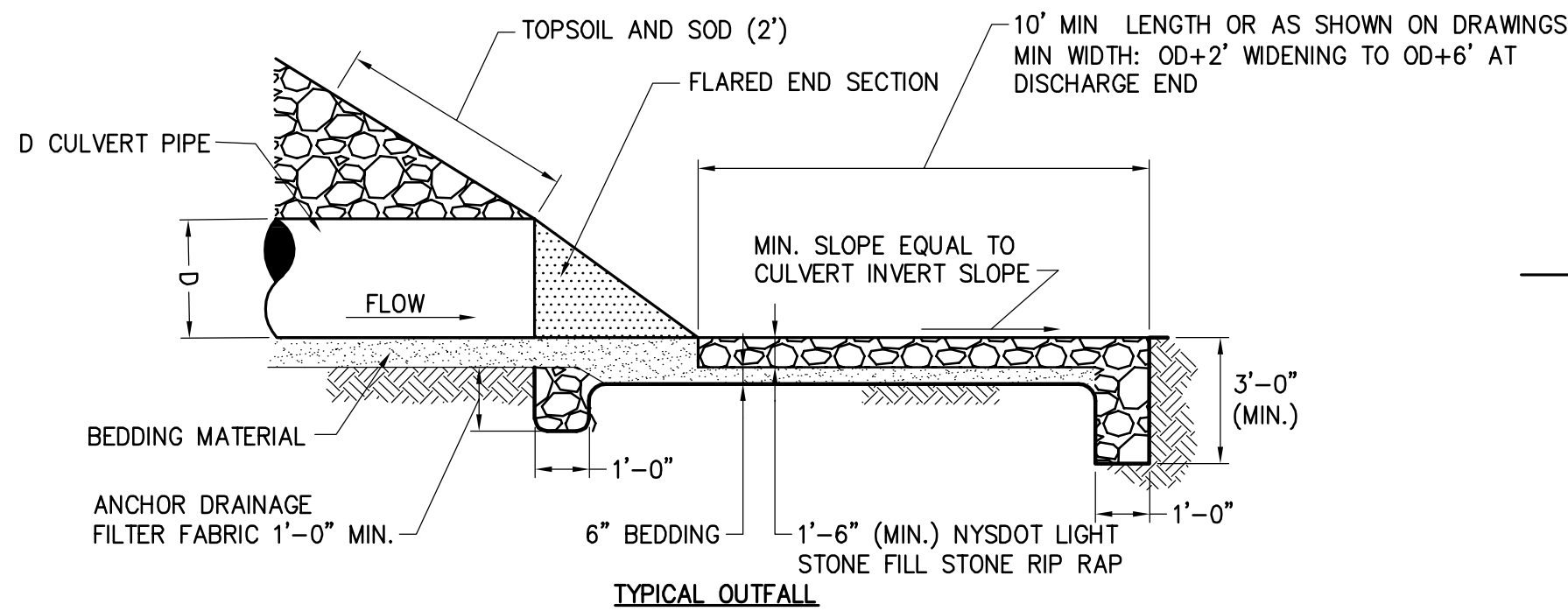


- MAINTENANCE NOTES:
1. TRAFFIC SHALL NOT BE PERMITTED TO CROSS FILTER SOCKS.
 2. ACCUMULATED SEDIMENT SHALL BE REMOVED WHEN IT REACHES 1/3 OF THE EXPOSED HEIGHT OF THE PRACTICE AND DISPOSED OF IN ACCORDANCE WITH THE SWPPP.
 3. SOCKS SHALL BE INSPECTED WEEKLY AND AFTER EACH RUNOFF EVENT. DAMAGED SOCKS SHALL BE REPAIRED IN THE MANNER REQUIRED BY THE MANUFACTURER OR REPLACED WITHIN 24 HOURS OF INSPECTION NOTIFICATION.
 4. BIODEGRADABLE FILTER SOCKS SHALL BE REPLACED AFTER 6 MONTHS; PHOTO-DEGRADABLE FILTER SOCKS AFTER 1 YEAR. POLY-PROPYLENE SOCKS SHALL BE REPLACED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.
 5. UPON STABILIZATION OF THE AREA CONTRIBUTORY TO THE SOCK, STAKES SHALL BE REMOVED. THE SOCK SHALL BE REMOVED. FOR REMOVAL THE MESH CAN BE CUT AND COMPOST SPREAD AS AN ADDITIONAL MULCH TO ACT AS A SOIL SUPPLEMENT.

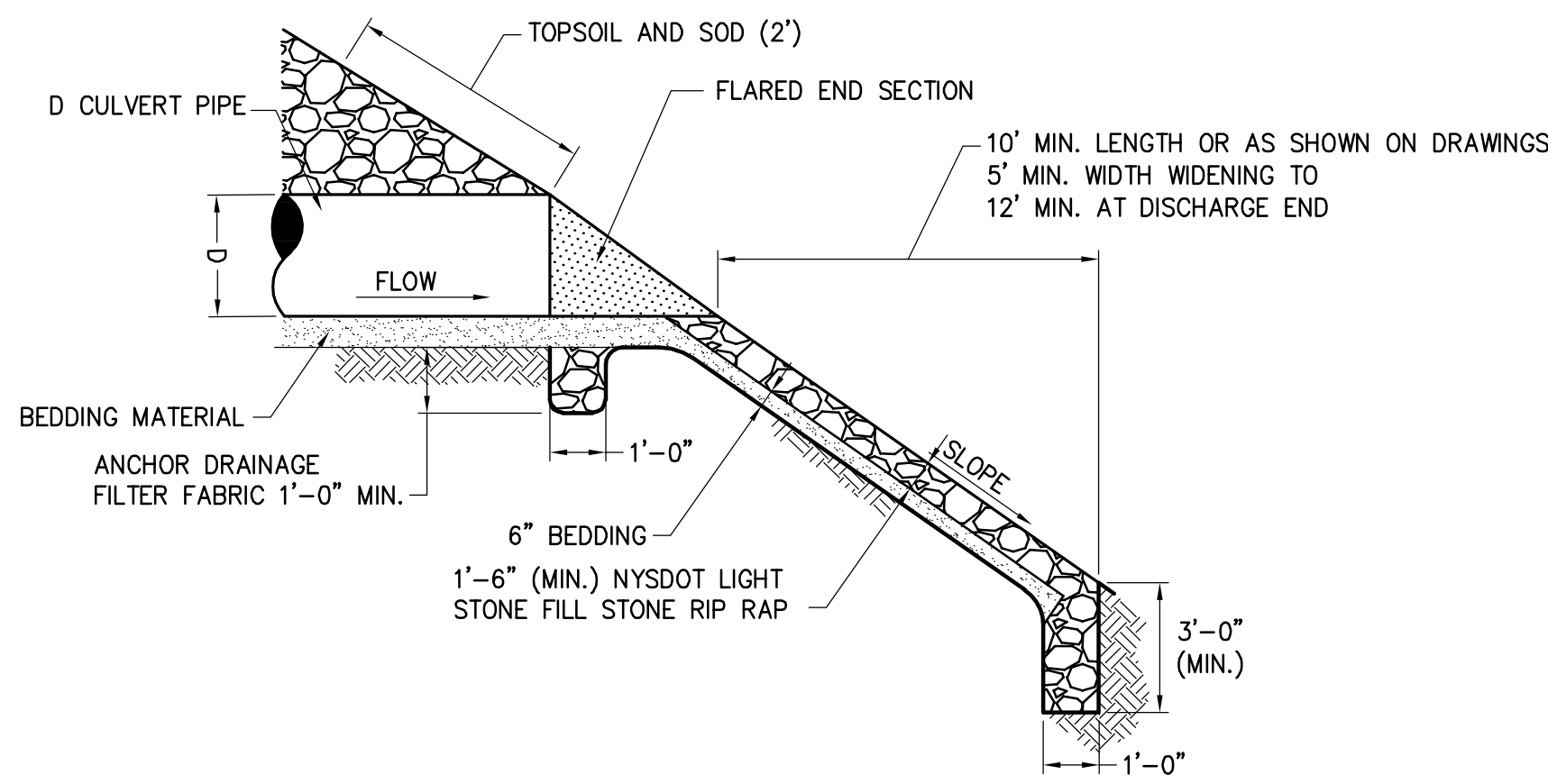


2 COMPOST FILTER SOCK DETAIL

SCALE: N.T.S.



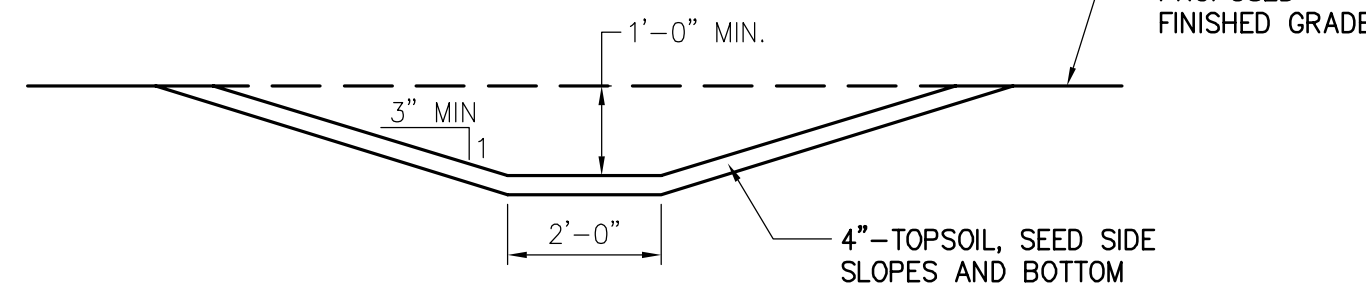
TYPICAL OUTFALL



TYPICAL OUTFALL ON SLOPE

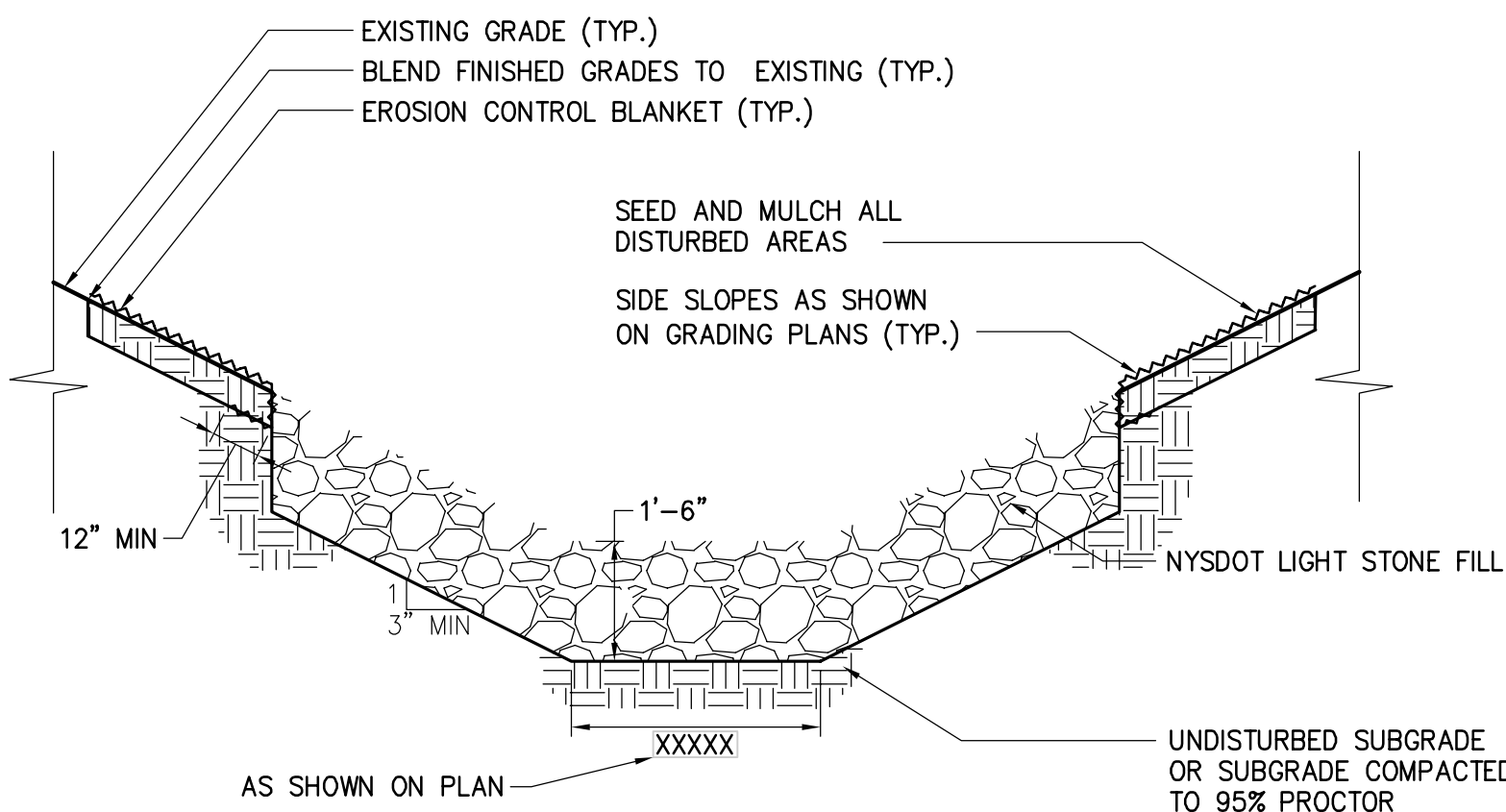
4 TYPICAL CULVERT OUTFALL RIP RAP

SCALE: N.T.S.



5 TYPICAL GRASS DRAINAGE SWALE

SCALE: N.T.S.



6 LIGHT STONE-LINED DRAINAGE CHANNEL

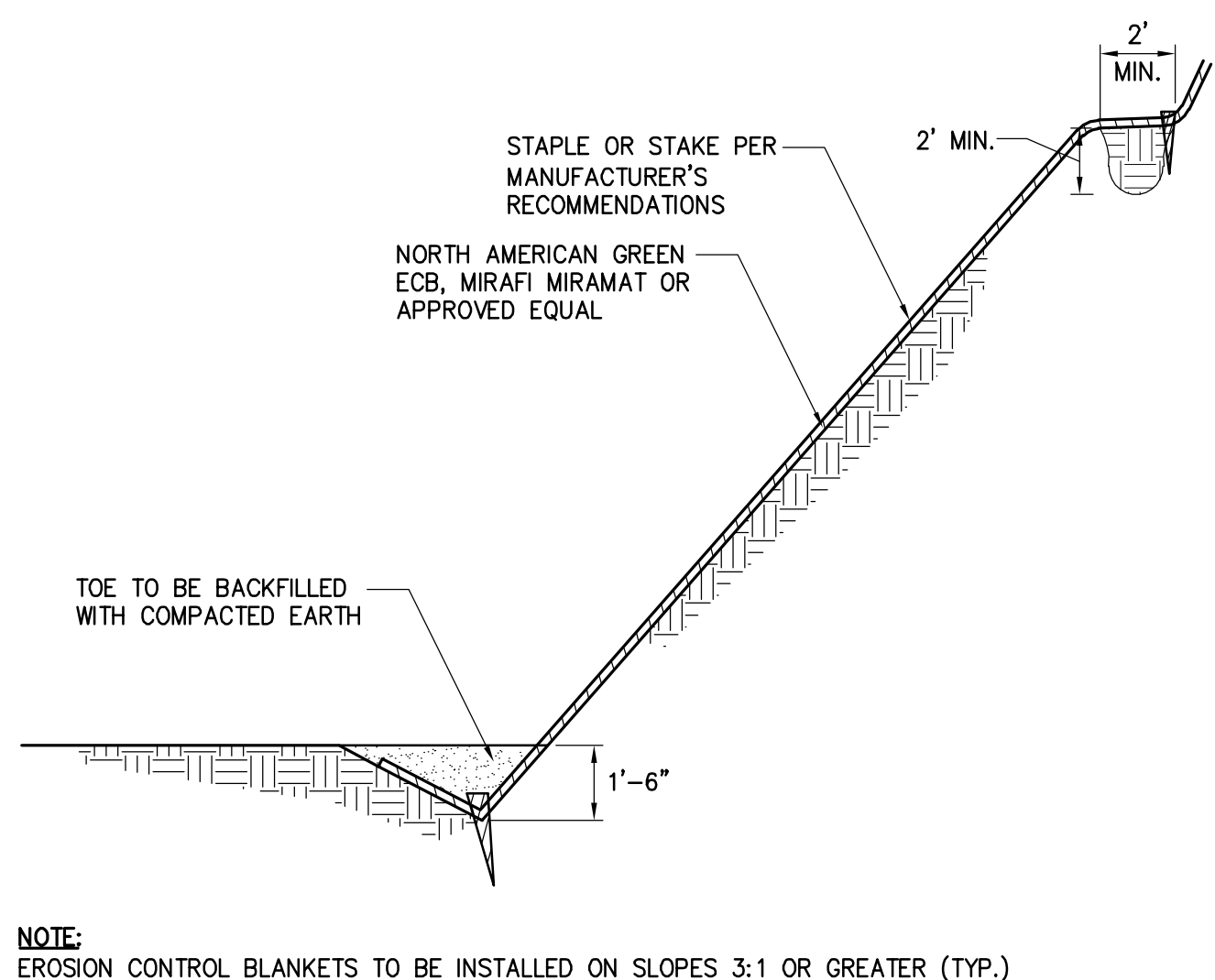
SCALE: N.T.S.

1	01/20/2023	REVISED PER DPS COMMENTS	JM	JR
0	11/11/2022	FINAL EM&CP SUBMISSION	JM	JR
No.	DATE	SUBMITTAL / REVISION DESCRIPTION	DB	APP

CHAMPLAIN HUDSON POWER EXPRESS PROJECT WIDE LAYDOWN YARD PACKAGE EROSION AND SEDIMENT CONTROL DETAILS

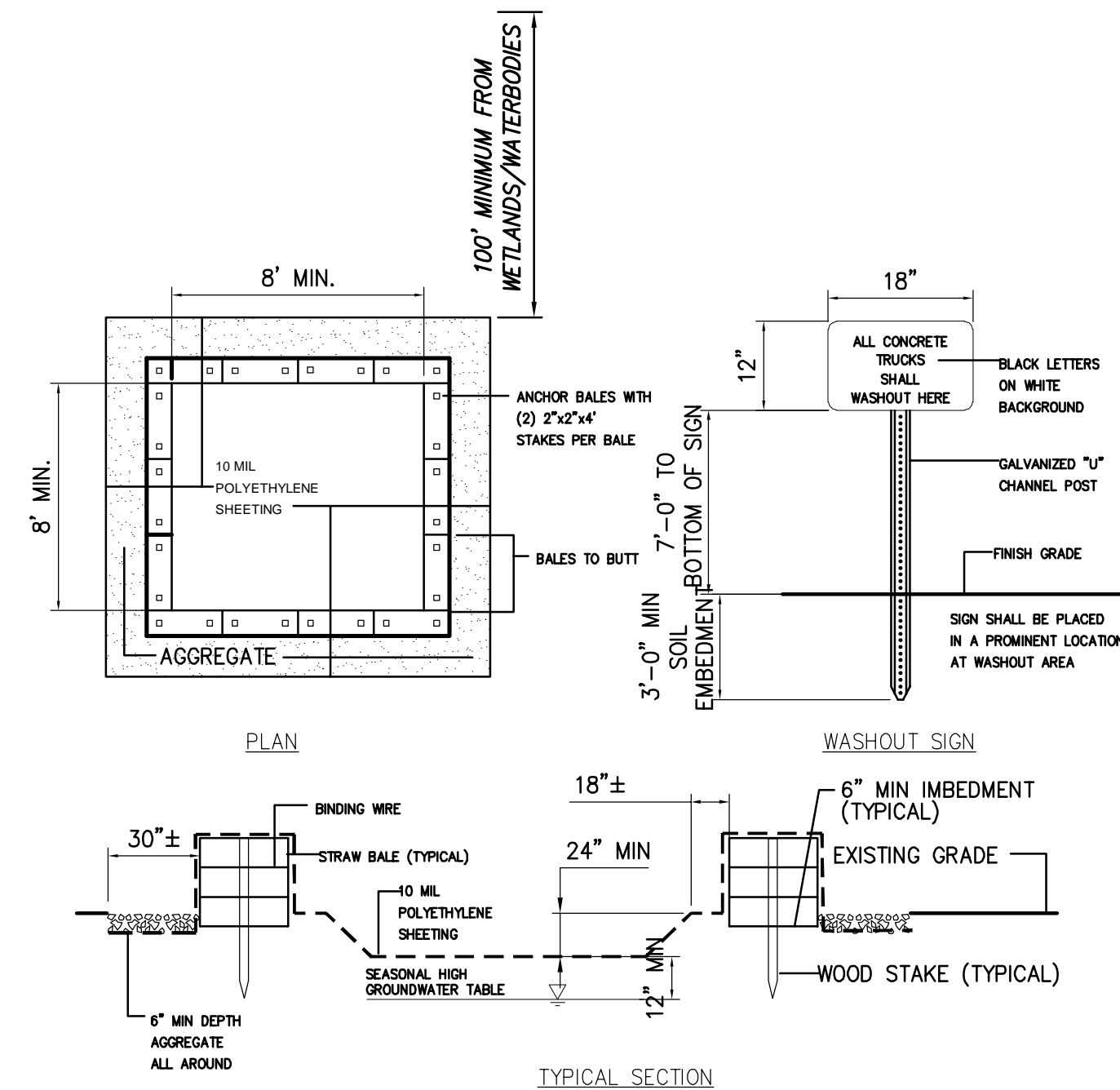
DRAWN BY: JJE DESIGNED BY: JTM APPROVED BY: JPR SCALE: AS NOTED
REV. NO. X

KIEWIT PROJECT NO.	21162
CHA PROJECT NO.	066076
DRAWING NO.	C-601
DATE	11/11/2022



3 EROSION CONTROL BANK STABILIZATION DETAIL

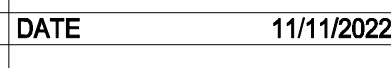
SCALE: N.T.S.



1. ALL CONCRETE WASHOUT FACILITIES SHALL BE INSPECTED DAILY. DAMAGED OR LEAKING FACILITIES SHALL BE DEACTIVATED AND REPAIRED OR REPLACED IMMEDIATELY. EXCESS RAINWATER THAT HAS ACCUMULATED OVER HARDENED CONCRETE SHALL BE PUMPED TO A STABILIZED AREA SUCH AS A GRASS FILTER STRIP.
2. ACCUMULATED HARDENED MATERIAL SHALL BE REMOVED WHEN 75% OF THE STORAGE CAPACITY OF THE STRUCTURE IS FILLED. ANY EXCESS WASH WATER SHALL BE PUMPED INTO A CONTAINMENT VESSEL AND PROPERLY DISPOSED OF OFF SITE.
3. DISPOSAL OF THE HARDENED MATERIAL SHALL BE OFF-SITE IN A CONSTRUCTION/DEMOLITION LANDFILL.
4. THE PLASTIC LINER SHALL BE REPLACED WITH EACH CLEANING OF THE WASHOUT FACILITY.
5. INSPECTION SHALL BE CONDUCTED FREQUENTLY TO ENSURE THAT NO CONCRETE DISCHARGES ARE TAKING PLACE IN NON-DESIGNATED AREAS.
6. LOCATION(S) TO BE DETERMINED IN THE FIELD BY THE OWNER'S REPRESENTATIVE
7. CONCRETE WASHOUTS SHALL NOT BE LOCATED WITHIN 200' OF ANY KNOWN WELL.

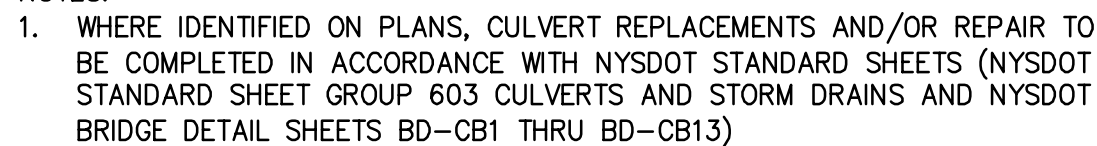
6 CONCRETE WASHOUT AREA

SCALE: N.T.S





SCALE: N.T.S



SCALE: N.T.S

SCALE: N.T.S.

Appendix C

SWPPP Inspection Forms

PERMIT NUMBER: NYR-

PRE-CONSTRUCTION MEETING DOCUMENTS

Project Name _____

GP-0-20-001 Permit No. _____ **Date of Authorization** _____

Name of _____

Owner/Operator _____

General Contractor _____

The Following Information To Be Read By All Person's Involved in The Construction of Stormwater Related Activities:

Site Assessment and Inspections -

- a. The Owner or Operator agrees to have a Qualified Inspector¹ conduct an assessment of the site prior to the commencement of construction. The Qualified Inspector shall certify in this inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.
- b. 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 owner or operator can stop conducting inspections. The owner or operator shall resume inspections as soon as soil disturbance activities are reinitiated.
- c. For construction sites where soil disturbance activities have been shut down with partial project completion, the owner or operator 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.
- d. Following the commencement of construction, site inspections shall be conducted by the Qualified Inspector to ensure that erosion and sediment controls are being maintained in effective operating condition at all times. Inspections shall occur at least: (i) once every 7 calendar days for construction sites where soil disturbance activities are occurring; (ii) twice every 7 calendar days for construction sites where soil disturbance activities are occurring and the Owner/Operator has received authorization to disturb greater than five (5) acres of soil at any one time; (iii) once every thirty (30) calendar days for construction sites where soil disturbance activities have been temporarily suspended and temporary stabilization measures have been applied to all disturbed areas; and (iv) 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 for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.
- e. The owner or operator shall notify the Regional Office stormwater contact person in writing prior to reducing the frequency of any inspections.

- f. The Owner/Operator shall maintain a record of all inspection reports in the site log book. The site log book shall be maintained on site and be made available to the permitting authorities upon request. Prior to the commencement of construction,² the Owner/Operator shall certify in the site log book that the SWPPP is prepared in accordance with the State's standards and meets all Federal, State and local erosion and sediment control requirements.
- g. Prior to filing of the Notice of Termination or the end of permit term, the Owner/Operator shall have the Qualified Inspector perform a final site inspection. The Qualified Inspector shall certify that the site has undergone final stabilization³ using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed.

¹"Qualified Inspector" means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a Certified Professional in Erosion and Sediment Control (CPESC), soil scientist, licensed Professional Engineer (PE), licensed Landscape Architect, or other Department endorsed individual(s). It may also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), or soil scientist provided that person has training in the principles and practices of erosion and sediment control. Training means that person has received four (4) hours of training endorsed by the Department and shall receive four (4) hours of training every three (3) years after the initial training session.

²"Commencement of construction" means the initial removal of vegetation and disturbance of soils associated with clearing, grading or excavating activities or other construction activities.

³"Final stabilization" means that all soil disturbance activities at the site have been completed and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established, or equivalent stabilization measures (such as the use of mulches or geotextiles, rock rip-rap or washed/crushed stone) have been employed on all disturbed areas that are not covered by permanent structures, concrete or pavement.

PRE-CONSTRUCTION SITE ASSESSMENT FORM

Inspector Name and Title

Date and Time of Inspection

Qualified Inspector

Qualified Inspector Signature

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

a. Notice of Intent, SWPPP, and Contractors' Certification:**Yes No NA**

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Has a Notice of Intent been filed with the NYS Department of Conservation? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the SWPPP on-site? Where? _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the Plan current? What is the latest revision date? _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have all contractors involved with implementing the erosion and sediment control portions of the SWPPP signed the contractor's certification? |

b. Resource Protection**Yes No NA**

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are construction limits clearly flagged or fenced? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Important trees and associated rooting zones, on-site septic system absorption fields, existing vegetated areas suitable for filter strips, especially in perimeter areas, etc. have been flagged for protection. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Creek crossings installed prior to land-disturbing activity, including clearing and blasting. |

c. Surface Water Protection**Yes No NA**

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Clean stormwater runoff has been diverted away from areas to be disturbed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Bodies of water located either on site or in the vicinity of the site have been identified and protected. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Appropriate practices to protect on-site or downstream surface waters are installed. |

d. Stabilized Construction Entrance**Yes No NA**

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | A temporary construction entrance to capture mud and debris from construction vehicles before they enter the public highway has been installed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other access areas (entrances, construction routes, equipment parking areas) are stabilized immediately as work takes place with gravel or other cover. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sediment tracked onto public streets is removed or cleaned on a regular basis. |

e. Perimeter Sediment Controls**Yes No NA**

- | | | | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Silt fence material and installation comply with the standard drawing and specifications. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Silt fences are installed at appropriate spacing intervals |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sediment/detention basin was installed |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sediment traps and barriers are installed. |

PERMIT NUMBER:

INSPECTION REPORT #__ :

Location

Date and Time of Inspection

Qualified Inspector (name and title)

Qualified Inspector Signature

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

☐ **Weekly Inspection**

Current Phase of Construction (if applicable):

Estimated Current Total Disturbed Area:

IMMEDIATE ACTION ITEMS / INSPECTION SUMMARY:

It is the responsibility of the Qualified Inspector to notify the owner/operator and appropriate contractor of any corrective actions that need to be taken within one (1) business day of the completion of an inspection. It is the responsibility of the contractor (subcontractor) to begin implementing the corrective actions within one (1) business day of this notification and complete the corrective action within a reasonable time frame. If there are action items from the previous inspection which have not been addressed, so note.

Per the GP-0-20-001, Digital photographs with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions shall be included with each inspection report. 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. Paper color copies of these digital photographs shall be attached to the inspection report, documenting the completion of the corrective action work within seven (7) calendar days of that inspection.

1. GENERAL HOUSEKEEPING

Includes description of the weather and soil conditions (e.g. dry, wet, saturated) during the time of the inspection, a description of the condition of the runoff at all points of discharge from the construction site (including identification of any discharges of sediments from construction site), inspection for stream/pond turbidity, oil and floating substances, visible oil film, or globules or grease, contractor preparedness for implementation of erosion and sediment control, impact on adjacent property, and dust control.

Yes No

☐☐

Is there immediate action required regarding General Housekeeping?

Notes:

2. EXCAVATION DEWATERING

Includes inspection ensuring that clean water from upstream pool is being pumped to the downstream pool, that sediment laden water from work area is being discharged to a silt-trapping device, and that constructed upstream berm has one-foot minimum freeboard.

Yes No

☐☐

Is there immediate action required regarding Excavation Dewatering?

Notes:

3. INTERCEPTOR DIKES AND SWALES

Includes inspection ensuring that dikes and swales are installed per plan with minimum side slopes 2H:1V or flatter, are stabilized by geotextile fabric, seed, or mulch with no erosion occurring, and that sediment-laden runoff is directed to sediment trapping structure.

Yes No

☐☐

Is there immediate action required regarding an Interceptor Dike or Swale?

Notes:

4. EROSION & SEDIMENT CONTROL

Includes inspection ensuring that erosion and sediment control practices are located and installed correctly, BMPs are maintained per specifications, stockpiles are stabilized and contained, de-watering operations prevent direct discharges to sensitive features, and that clearing and grading operations are divided into stages for large areas. Identification of all erosion and sediment control practices that need repair or maintenance.

Yes No

☐☐

Is there immediate action required regarding Erosion & Sediment Control?

Notes:

5. AREAS OF DISTURBANCE

Includes description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since last inspection.

Yes No

☐☐

Is there immediate action required regarding stabilizing disturbed areas?

Notes:

6. STABILIZED CONSTRUCTION ENTRANCE

Includes inspection ensuring that stone is clean enough to effectively remove mud from vehicles, is installed per standards and specifications, that all traffic use the stabilized entrance to enter and leave site, and that adequate drainage is provided to prevent ponding at entrance.

Yes No

☐☐

Is there immediate action required regarding a Stabilized Construction Entrance?

Notes:

7. REINFORCED SILT FENCE

Includes inspection ensuring that silt fence is installed on contour, 10 feet from toe of slope, joints are constructed by wrapping the two ends together for continuous support, steel posts installed (if applicable), installed on downstream side of slope, maximum 6' intervals with 6 x 6 inch 14 gage wire, fabric is buried minimum of 6 inches, posts are stable, fabric is tight and without rips or frayed areas, and that sediment accumulation is less than 1/3 the height of the silt fence.

Yes No

☐☐

Is there immediate action required regarding Silt Fence?

Notes:

8. STONE CHECK DAM

Includes inspection ensuring that stone check dam channels are without erosion (i.e., flow is not eroding soil underneath or around the structure), that check dam is in good condition (i.e., rocks have not been displaced and no permanent pools behind the structure), and that sediment accumulation is less than design capacity.

Yes No

☐☐

Is there immediate action required regarding a Stone Check Dam?

Notes:

9. COMPOST FILTER SOCK

Includes inspection ensuring that compost filter sock is anchored in earth with 2"x2" wooden stakes driven 12" into the soil on 10 foot centers on the centerline of the sock. On uneven terrain, effective ground contact can be enhanced by the placement of a fillet of filter media on the disturbed area side of the compost sock. Damaged filter socks shall be replaced or repaired according the manufacturer's recommendations.

Yes No

☐☐

Is there immediate action required regarding Compost Filter Sock?

Notes:

10. FILTER FABRIC (DROP) INLET PROTECTION

Includes inspection ensuring that protection is installed with 2-inch x 4-inch wood frame and wood posts, with maximum 3-foot spacing, is buried a minimum of 8 inches and secured to frame/posts with staples at max 8-inch spacing, has posts with 3-foot maximum spacing between posts, has posts that are stable, fabric is tight and without rips or frayed areas, and that sediment accumulation is within design capacity.

Yes No

☐☐

Is there immediate action required regarding Filter Fabric (Drop) Inlet Protection?

Notes:

11. SILTSACK® INLET PROTECTION

Includes inspection ensuring that protection is installed per manufacturers specifications and is maintained per manufacturers recommendations.

Yes No

☐☐

Is there immediate action required regarding the Inlet Protection?

Notes:

12. TEMPORARY SEDIMENT TRAP

Includes inspection ensuring that outlet structure is constructed per the approved plan or drawing, that geotextile fabric has been placed beneath rock fill, and that sediment accumulation is within design capacity.

Yes No

☐☐

Is there immediate action required regarding Temporary Sediment Traps?

Notes:

13.CONCRETE WASHOUT

Includes inspection ensuring that the concrete washout is constructed and maintained per the approved plan or drawing.

Yes No

☐☐

Is there immediate action required regarding Concrete Washouts?

Notes:

14.STORMWATER BASIN

Includes inspection ensuring that Permanent Stormwater Basins are installed per plans and specifications.

Yes No

☐☐

Is there immediate action required regarding Stormwater Basins?

Notes:

15.CURRENT PHASE OF POST-CONSTRUCTION STORMWATER PRACTICES

Includes inspection of current phase of all post-construction stormwater management practices, identification of all construction that is not in conformance with the SWPPP and technical standards, identify corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices, and to correct deficiencies identified with the construction of post-construction stormwater management practice(s).

Yes No

☐☐

Is there immediate action required regarding the current phase of post-construction stormwater management practices?

Notes:

ADDITIONAL NOTES / MODIFICATIONS

Appendix D

SWPPP Amendments

Appendix E
Notice of Intent (NOI)
SPDES GP-0-20-001

NOI for coverage under Stormwater General Permit for Construction Activity

version 1.35

(Submission #: HPN-RC7H-M9K9S, version 1)

Details

Originally Started By Julia Chan

Alternate Identifier CHPE S4-P3 Fort Edward Staging and Laydown Yard

Submission ID HPN-RC7H-M9K9S

Submission Reason New

Status Draft

Active Steps Form Submitted

Form Input

Owner/Operator Information

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

Kiewit Construction

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Harrison

Owner/Operator Contact Person First Name

Mark

Owner/Operator Mailing Address

470 Chestnut Ridge Road

City

Woodcliff Lake

State

New Jersey

Zip

07677

Phone

3124469951

Email

Mark.Harrison@kiewit.com

Federal Tax ID

47-0647804

Project Location**Project/Site Name**

CHPE S4-P3 Fort Edward Staging and Laydown Yard

Street Address (Not P.O. Box)

Lock 8 Way

Side of Street

West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Town/Village Fort Edward

State

NY

Zip

12828

DEC Region

5

County

WASHINGTON

Name of Nearest Cross Street

NONE PROVIDED

Distance to Nearest Cross Street (Feet)

NONE PROVIDED

Project In Relation to Cross Street

NONE PROVIDED

Tax Map Numbers Section-Block-Parcel

NONE PROVIDED

Tax Map Numbers

NONE PROVIDED

1. Coordinates

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

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

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

43.2757058961429,-73.57079962817689

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

Redevelopment with no increase in impervious area

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

Other: Railroad Yard

Post-Development Future Land Use

Other: Railroad Yard

3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.NONE PROVIDED

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

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

Total Site Area (acres)

14.0

Total Area to be Disturbed (acres)

3.3

Existing Impervious Area to be Disturbed (acres)

0.0

Future Impervious Area Within Disturbed Area (acres)

0.0

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

No

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

0

B (%)

0

C (%)

0

D (%)

100

7. Is this a phased project?

Yes

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

02/01/2023

End Date

05/31/2023

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

Unnamed Tributary to Champlain Canal

9a. Type of waterbody identified in question 9?

Stream/Creek Off Site

Other Waterbody Type Off Site Description

NONE PROVIDED

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

NONE PROVIDED

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

Yes

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

No

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

No

If No, skip question 13.

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

No

If Yes, what is the acreage to be disturbed?

NONE PROVIDED

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

No

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

Yes

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

Town and Village of Fort Edward

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

No

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

No

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

No

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

No

Required SWPPP Components

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

Yes

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

No

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

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

NONE PROVIDED

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

SWPPP Preparer

CHA Consulting, Inc.

Contact Name (Last, Space, First)

Romano, Joseph P.

Mailing Address

3 Winners Circle

City

Albany

State

NY

Zip

12205

Phone

518-453-4750

Email

jromano@chacompanies.com

Download SWPPP Preparer Certification Form

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

1) Click on the link below to download a blank certification form

- 2) The certified SWPPP preparer should sign this form
- 3) Scan the signed form
- 4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)

Please upload the SWPPP Preparer Certification

NONE PROVIDED

Comment

NONE PROVIDED

Erosion & Sediment Control Criteria

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

Yes

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

Temporary Structural

Construction Road Stabilization

Dust Control

Silt Fence

Stabilized Construction Entrance

Storm Drain Inlet Protection

Biotechnical

None

Vegetative Measures

Seeding

Topsoiling

Mulching

Permanent Structural

None

Other

Sediment Dewatering Bag, ECB Stabilization, Concrete Washout, Sandbag Cofferdam, Compost Filter Sock and Wetland Protection Fence

Post-Construction Criteria

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

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

29. Post-construction SMP Identification

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

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

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

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

NONE PROVIDED

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 33.

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

must also be included in the SWPPP.

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

33. SMPs

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

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

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

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 36.

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

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

CPv Required (acre-feet)

NONE PROVIDED

CPv Provided (acre-feet)

NONE PROVIDED

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

NONE PROVIDED

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

Overbank Flood Control Criteria (Qp)**Pre-Development (CFS)**

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

Total Extreme Flood Control Criteria (Qf)**Pre-Development (CFS)**

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

Post-Construction SMP Identification**Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs**

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

RR Techniques (Area Reduction)

Round to the nearest tenth

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

RR Techniques (Volume Reduction)

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

Standard SMPs with RRV Capacity

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

Total Contributing Impervious Acres for Bioretention (F-5)

NONE PROVIDED

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

NONE PROVIDED

Standard SMPs

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

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

Total Contributing Impervious Area for Hydrodynamic

NONE PROVIDED

Total Contributing Impervious Area for Wet Vault

NONE PROVIDED

Total Contributing Impervious Area for Media Filter

NONE PROVIDED

"Other" Alternative SMP?

NONE PROVIDED

Total Contributing Impervious Area for "Other"

NONE PROVIDED

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

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

Manufacturer of Alternative SMP

NONE PROVIDED

Name of Alternative SMP

NONE PROVIDED

Other Permits

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

None

If SPDES Multi-Sector GP, then give permit ID

NONE PROVIDED

If Other, then identify

NONE PROVIDED

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

Yes

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

NONE PROVIDED

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

NONE PROVIDED

MS4 SWPPP Acceptance

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

Yes - Please attach the MS4 Acceptance form below

If No, skip question 44

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

Yes

MS4 SWPPP Acceptance Form Download

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

[MS4 SWPPP Acceptance Form](#)

MS4 Acceptance Form Upload

NONE PROVIDED

Comment

NONE PROVIDED

Owner/Operator Certification

Owner/Operator Certification Form Download

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

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

Upload Owner/Operator Certification Form

NONE PROVIDED

Comment

NONE PROVIDED

Status History

	User	Processing Status
10/27/2022 5:26:19 PM	Julia Chan	Draft

Processing Steps

Step Name	Assigned To/Completed By	Date Completed
Form Submitted		
Under Review	DAVID GASPER	
Under Review	Daniel von Schilgen	



Department of
Environmental
Conservation

SWPPP Preparer Certification Form

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

Project Site Information

Project/Site Name

CHPE S4-P3 Fort Edward Staging and Laydown Yard

Owner/Operator Information

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

Kiewit Construction

Certification Statement – SWPPP Preparer

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

Joseph

First name

P.

MI

Romano

Last Name

Signature

Date



Owner/Operator Certification Form

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

Project/Site Name: CHPE S4-P3 Fort Edward Staging and Laydown Yard

eNOI Submission Number: HPN-RC7H-M9K9S

eNOI Submitted by: ☐ Owner/Operator ☒ SWPPP Preparer ☐ Other

Certification Statement - Owner/Operator

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

Owner/Operator First Name

M.I. Last Name

Signature

Date



Department of
Environmental
Conservation

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

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit

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

I. Project Owner/Operator Information

1. Owner/Operator Name: Kiewit Construction
2. Contact Person: Mark Harrison
3. Street Address: 470 Chestnut Ridge Road
4. City/State/Zip: Woodcliff Lake, NJ 07677

II. Project Site Information

5. Project/Site Name: CHPE S4-P3 Fort Edward Staging and Laydown Yard
6. Street Address: Lock 8 Way
7. City/State/Zip: Town of Fort Edward /NY/12828

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

8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information



Department of
Environmental
Conservation

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

**MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance
Form**

for

Construction Activities Seeking Authorization Under SPDES General Permit

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

I. Project Owner/Operator Information

1. Owner/Operator Name: Kiewit Construction

2. Contact Person: Mark Harrison

3. Street Address: 470 Chestnut Ridge Road

4. City/State/Zip: Woodcliff Lake, NJ 07677

II. Project Site Information

5. Project/Site Name: CHPE S4-P3 Fort Edward Staging and Laydown Yard

6. Street Address: Lock 8 Way

7. City/State/Zip: Village of Fort Edward /NY/12828

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

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:

12. MS4 SPDES Permit Identification Number: NYR20A

13. Contact Person:

14. Street Address:

15. City/State/Zip:

16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information



Department of
Environmental
Conservation

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP- 0-20-001

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

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator



Authorized Signature

1-23-20
Date

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

PREFACE

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

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

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

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

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Part 1. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

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

B. Effluent Limitations Applicable to Discharges from Construction Activities

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

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

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

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

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

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

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

C. Post-construction Stormwater Management Practice Requirements

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

a. Sizing Criteria for New Development

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

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

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

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

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

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

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

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

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

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

c. Sizing Criteria for Redevelopment Activity

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

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

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

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

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

D. Maintaining Water Quality

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

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

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

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

E. Eligibility Under This General Permit

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

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

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

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

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

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

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

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

d. Documentation that:

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

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

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

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

B. Notice of Intent (NOI) Submittal

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

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

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

C. Permit Authorization

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

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

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

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

D. General Requirements For Owners or Operators With Permit Coverage

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

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

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

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

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

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

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

F. Change of Owner or Operator

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

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

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

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

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

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

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

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

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

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

B. Required SWPPP Contents

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

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

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

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

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

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

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

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

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

C. Required SWPPP Components by Project Type

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

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

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

B. Contractor Maintenance Inspection Requirements

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

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

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

C. Qualified Inspector Inspection Requirements

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

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

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

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

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

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

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

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

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

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

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

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

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

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

B. Addresses

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

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

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

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

B. Continuation of the Expired General Permit

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

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

E. Duty to Mitigate

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

F. Duty to Provide Information

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

G. Other Information

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

H. Signatory Requirements

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

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

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

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

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

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

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

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

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

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

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

N. Permit Actions

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

O. Definitions

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

P. Re-Opener Clause

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

Q. Penalties for Falsification of Forms and Reports

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

R. Other Permits

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

APPENDIX A – Acronyms and Definitions

Acronyms

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

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX B – Required SWPPP Components by Project Type

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

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

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

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

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

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

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

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

Table 2 (Continued)

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

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

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

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

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

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

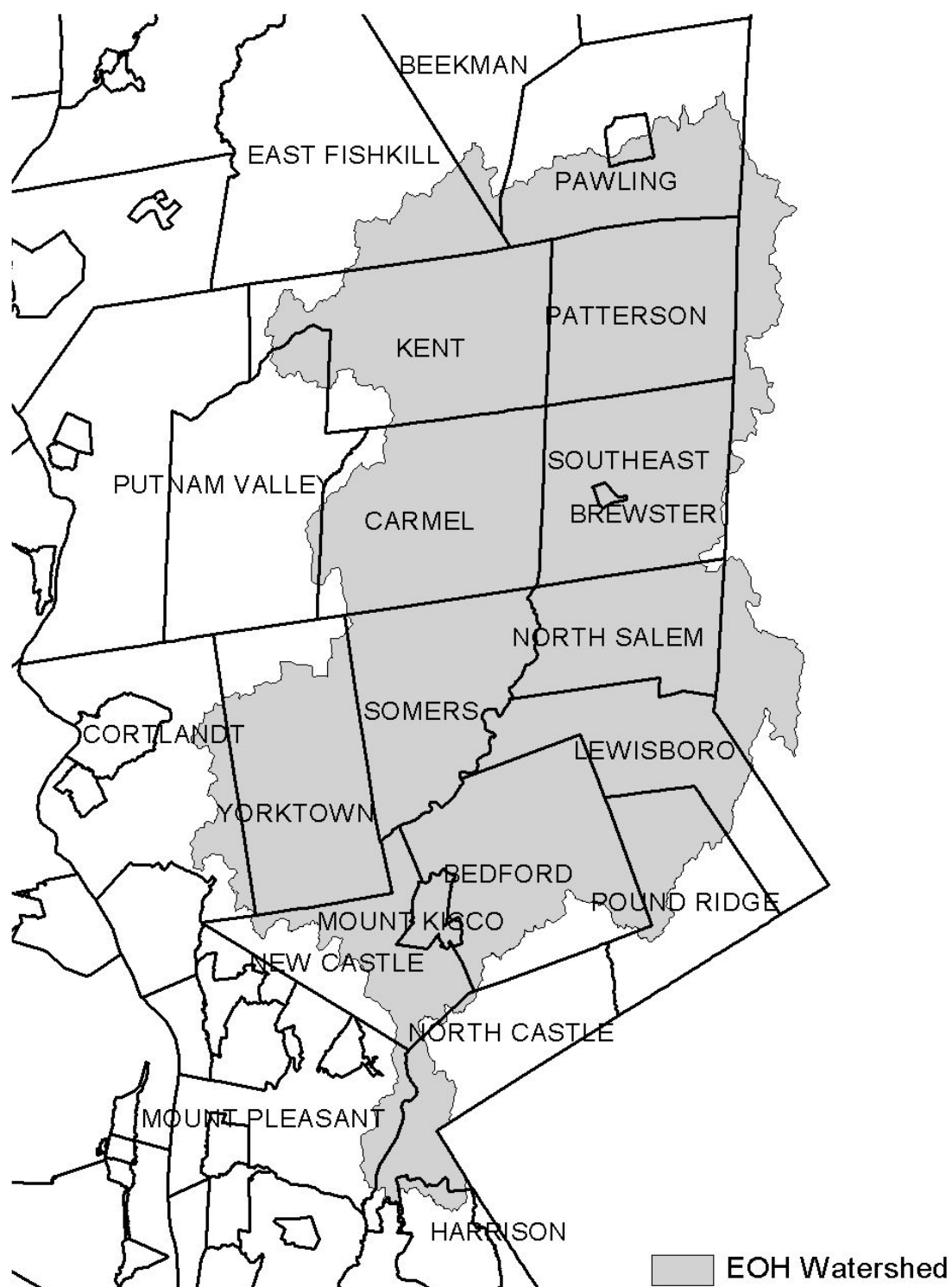
Figure 1 - New York City Watershed East of the Hudson

Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

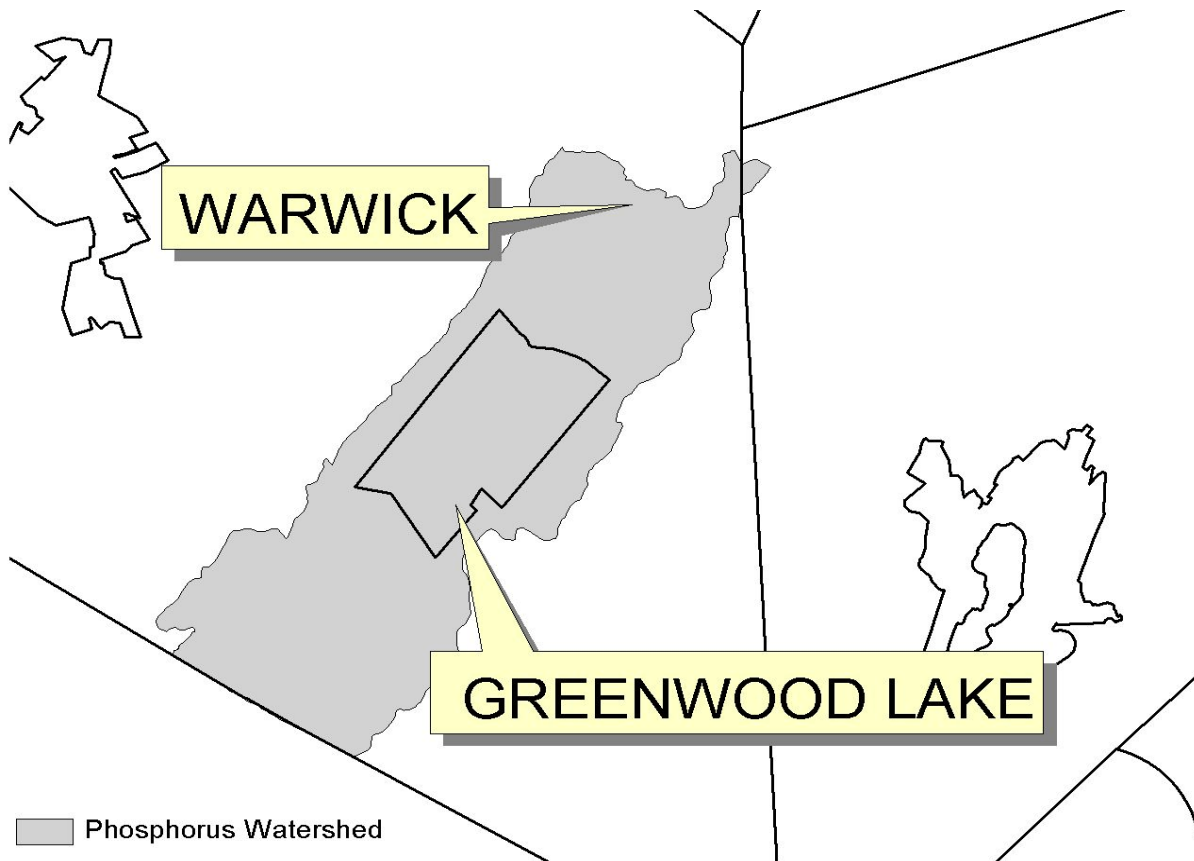


Figure 4 - Oscawana Lake Watershed

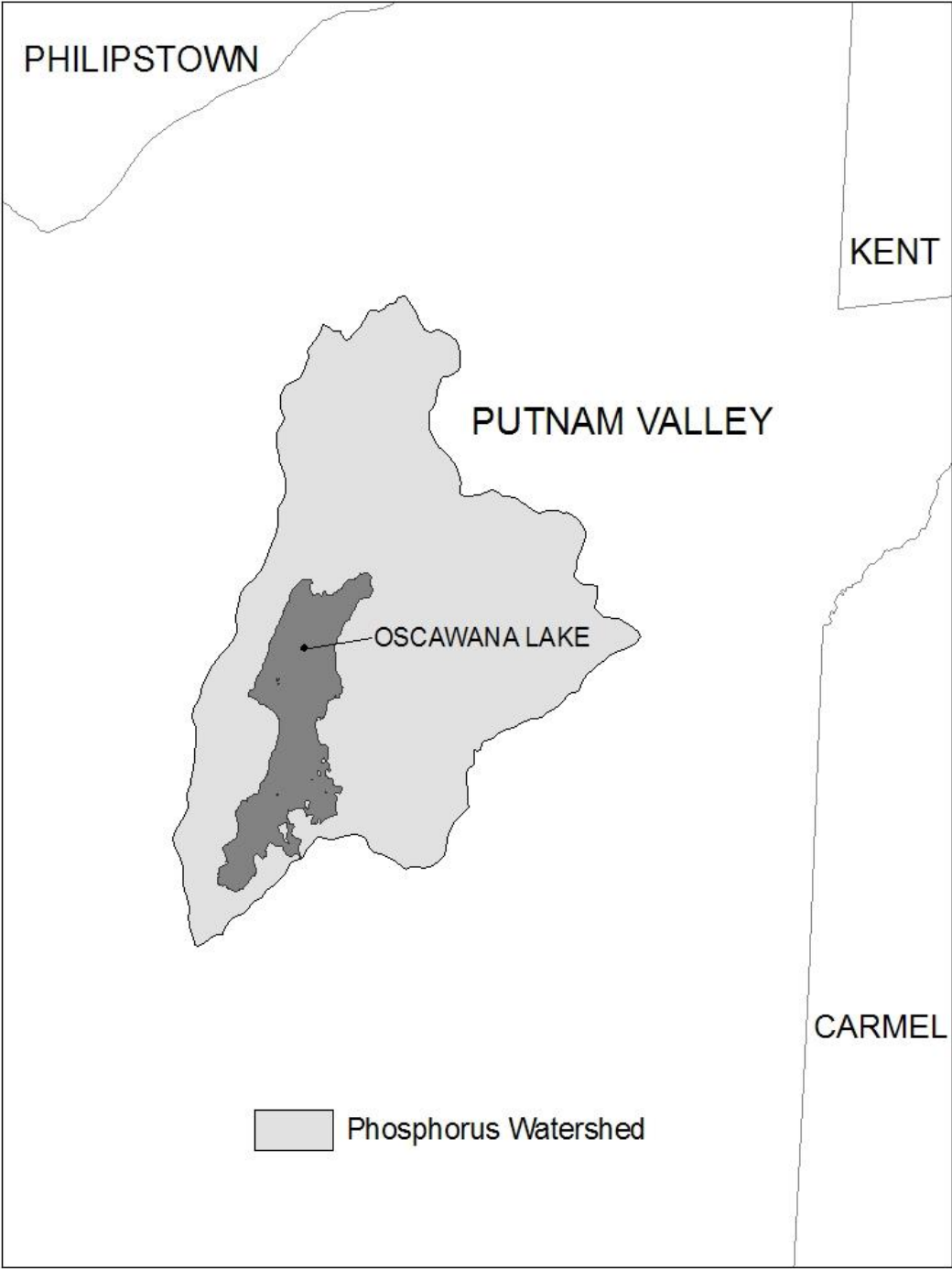
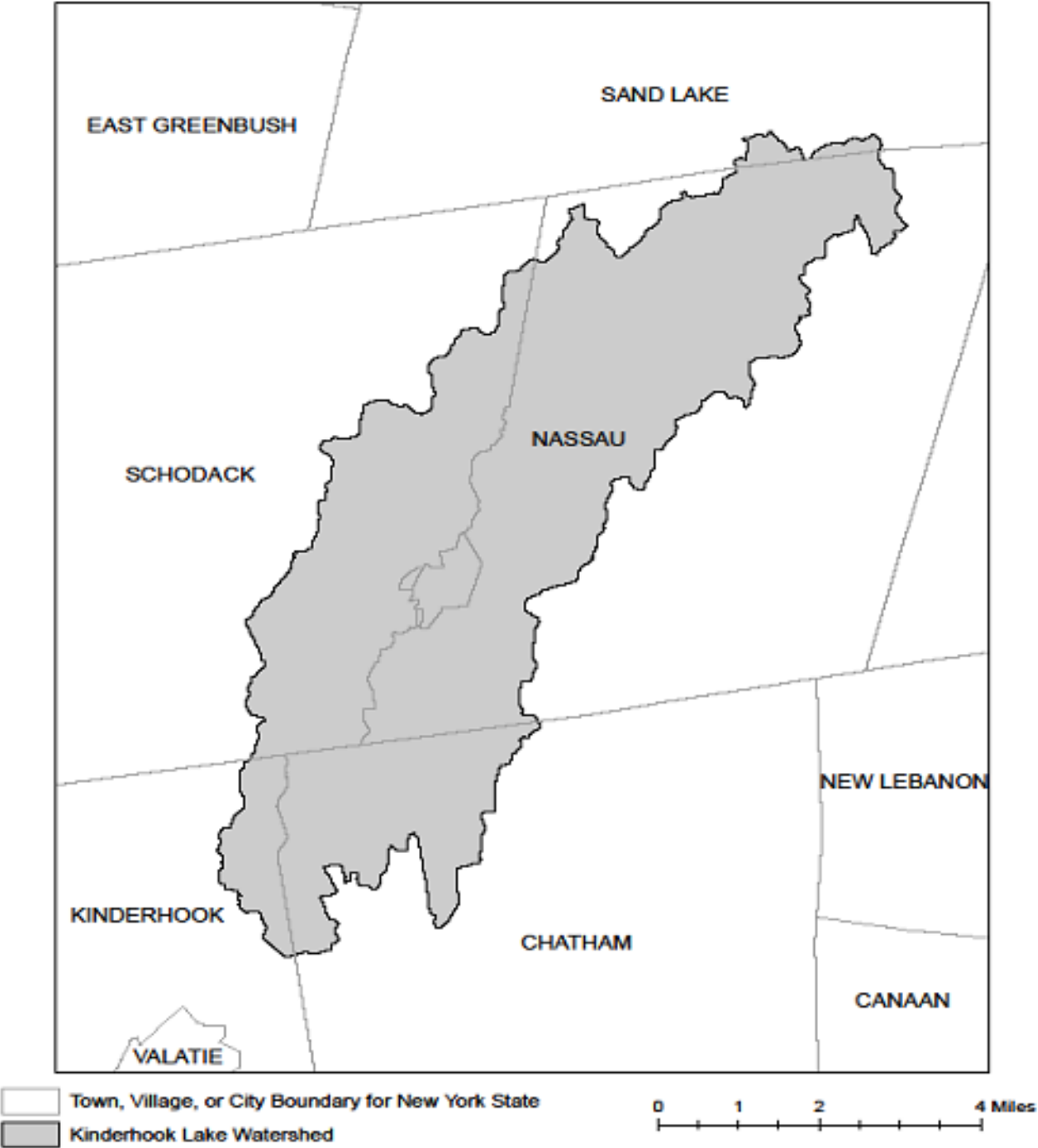


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Watersheds with Lower Disturbance Threshold

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX F – List of NYS DEC Regional Offices

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

Appendix F
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)