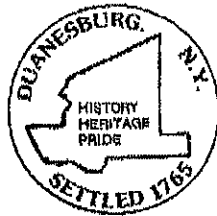


Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

**Town of Duanesburg
Planning Board Agenda
April 18, 2024**

AGENDA ITEMS MAY BE ADDED, DELETED, OR ORDER CHANGED WITHOUT NOTICE

The Town of Duanesburg offers Planning Board Meetings via zoom if you are unable to attend the meeting in person:

Town of Duanesburg is inviting you to a scheduled Zoom meeting.

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

Dial in by Phone: 1-646-558-8656

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT

OPEN FORUM

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

OLD BUSINESS:

#23-23 Putnam, Edward: SBL#67.00-2-6.11, (C-1/R-2), located at 4136 Western Turnpike is seeking a major subdivision of one lot into 5 smaller lots under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

- Define limits of clearing
- DOT/County approvals for driveways
- SHPO letter

Approved: Yes ___ **No** ___

Comments: _____

#23-19 Samuelson, Thomas: SBL#67.05-2-13.1 (H) located at 6928 Duanesburg Rd is seeking a special use permit to convert existing residential building back to a two-family dwelling under section 9.4(8) of the Town of Duanesburg Zoning Ordinance.

- Parking Plan
- Retaining Wall cross section w/height, width, length
- Fencing

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

Comments: _____

#23-31 Kniese, Robert: SBL#55.00-4-22.11, SBL#55.00-4-22.12, (H), located at Depot Rd is seeking approval of a major subdivision of two lots into 5 lots under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

- County Referral
- County Highway approval for driveways
- Delaware Engineering for Sewer hook ups
- PB intent to be lead agent for unlisted action

Comments: _____

#24-2 Kruger Energy: SBL#65.00-2-15.11, SBL#65.00-2-15.2, and SBL#65.00-2-43 (R-2) located at 909 Alexander Rd is seeking a special use permit and lot line adjustment under Local Law 2 of 2016 of the Town of Duanesburg Subdivision Ordinance and Local Law 1 of 2023 of the Town of Duanesburg Zoning Ordinance.

- Coordinated review
- TDE Prime Engineering

Comments: _____

NEW BUSINESS:

#24-5 Fusco, Sal: SBL#25.00-1-6.111, (R-2), Located at 756 Wells Rd. is seeking an amendment to his major subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#24-4 James, John: SBL#76.00-1-12.311 (R-2), located on Chadwick Rd. is seeking a minor subdivision of one lot into two lots under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#24-6 Breitenstein Trust: SBL# 54.00-1-28.11 (R-2), Located on corner of Mudge Rd. and Skyline Drive is seeking a major subdivision creating 3 lots from a 46-acre parcel under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

Other:

Minute Approval:

February 15, 2024 Planning Board Meeting Minutes:

Approved: Yes _____ No _____

March 21, 2024 PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

ADJOURNMENT

*****FOR OFFICE USE ONLY*****



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
 - Tax Map ID #
 - Zoning district
 - Current Original Deed
 - NYS Survey (L.S. & P.E.)
 - North Arrow, scale (1"=100')
 - Boundaries of the property plotted and labeled to scale.
 - School District/Fire District
 - Green area/ landscaping
 - Existing watercourses, wetlands, etc.
 - Contour Lines (increments of 10ft.)
 - Easements & Right of ways
 - Abutting Properties Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system: Soil Investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (12 & 6)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/eafmapper/
 - Street pattern: Traffic study needed?
 - All property Mergers REQUIRE both owners Signatures on the Application
- Additional Requirements for Special Use Application:
- New or existing building
 - Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage Parking, Handicap Spaces, & lighting plan

Date October 20, 2023

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
Proposal: 4-lot residential subdivision of portion of parcel R2 zone meeting all zoning requirement. Plus one commercial lot in the C1 zoning district.

Section _____ of _____ Ordinance.

Present Owner: Edward Putnam (AS APPEARS ON DEED!)
Address: 4136 Western TPKE RD Zip code: 12056
Phone # (required) 518-895-1053

Applicants Name (if different): _____ Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # 67.00-2-6.11 Zoning District C1 & R2

Edward E. Putnam
Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A

Signature of receiving Property Owner N/A (AS APPEARS ON DEED!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Edward E. Putnam Date October 23, 2023
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson Date Code Enforcement Date

County of Schenectady

Department of Engineering



0#/29/2024

Mr. Kenneth Seeley

RE: 531, 533, 535, 537 Noth Mansion Road (County Route 121)

Dear Mr. Seeley:

As per our conversation, I have inspected the proposed locations for future driveways. The 4 sites meet all guidelines for safety and convenience for vehicles and line of sight distances. The County will need you install 24" Plastic pipe with flare end sections or some type of headwalls on all 4 locations.

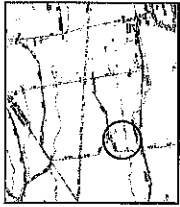
If you have any questions please feel free to contact me at 356-5340 x 3233.

Sincerely,

Angelo Melillo
Junior Civil Engineer

AM/am

Cc. File



SITE LOCATION MAP

- SURVEY NOTES:**
1. ALL SURVEY DATA WAS OBTAINED FROM THE RECORDS OF THE COUNTY ENGINEER'S OFFICE.
 2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, 1974.
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- MAP REFERENCES:**
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- REASONING:**
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 10. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT, 1974.

- SCHOOL DISTRICT:**
- PUBLIC DISTRICT:**
- COUNTY:**
- APPLICANT:**
- APPLICANT'S ADDRESS:**
- APPLICANT'S PHONE:**
- APPLICANT'S FAX:**
- APPLICANT'S E-MAIL:**
- APPLICANT'S SIGNATURE:**
- APPLICANT'S DATE:**

NEEDLANDS NOTE:

THE NEEDLANDS NOTE IS A STATEMENT OF THE NEEDS OF THE COMMUNITY AND THE NEEDS OF THE INDIVIDUALS WHOSE PROPERTIES ARE AFFECTED BY THE PROPOSED SUBDIVISION.



SUBDIVISION AMENDMENT PLAN

LANDS NOW OR FORMERLY OF
SALVATORE FUSCO
STREET No. 756 WELLS ROAD

DATE: 11/11/11

SCALE: AS SHOWN

DATE OF SUBMISSION: 11/11/11

DATE OF APPROVAL: 11/11/11

DATE OF RECORDING: 11/11/11

DATE OF CLOSURE: 11/11/11

DATE OF COMPLETION: 11/11/11

DATE OF FINAL INSPECTION: 11/11/11

DATE OF FINAL RECORDING: 11/11/11

DATE OF FINAL CLOSURE: 11/11/11

DATE OF FINAL COMPLETION: 11/11/11

DATE OF FINAL FINAL INSPECTION: 11/11/11

DATE OF FINAL FINAL RECORDING: 11/11/11

DATE OF FINAL FINAL CLOSURE: 11/11/11

DATE OF FINAL FINAL COMPLETION: 11/11/11

NO.	REVISION	DATE
1	ISSUED	11/11/11
2	REVISED	11/11/11
3	REVISED	11/11/11
4	REVISED	11/11/11
5	REVISED	11/11/11
6	REVISED	11/11/11
7	REVISED	11/11/11
8	REVISED	11/11/11
9	REVISED	11/11/11
10	REVISED	11/11/11



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**BASIC EROSION AND
SEDIMENT CONTROL POLICY**

FOR

PUTNAM SUBDIVISION
4136 Western TPKE and North Mansion Road
Town of Duanesburg
Schenectady County, New York

Prepared For:

Edward A. Putnam
242 Duane Lake Road
Duanesburg, NY 12056

January 22, 2024
Revised April 8, 2024

Project No. 5668A

Prepared By:

Joseph J. Bianchini, P.E.
ABD Engineers, LLP
411 Union Street
Schenectady, NY 12305
(518) 377-0315

**BASIC
EROSION AND SEDIMENT CONTROL POLICY
FOR
PUTNAM SUBDIVISION
4136 WESTERN TPKE & NORTH MANSION ROAD
TOWN OF DUANESBURG, SCHENECTADY COUNTY**

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**BASIC
EROSION AND SEDIMENT CONTROL POLICY
FOR
PUTNAM SUBDIVISION
4136 WESTERN TPKE & NORTH MANSION ROAD
TOWN OF DUANESBURG, SCHENECTADY COUNTY**

Mr. Edward Putnam is subdividing a portion of his Land totaling approximately 22.34 acres located at 4136 Western Turnpike Road in the Town of Duaneburg into five (5) parcels. The northern portion of the parcel is located within the Town C-1 Commercial zone and the southern portion of the of the parcel is located within the Town's R-2 Agricultural / Residential zone.

Lots 1,2, 3, & 4, will be developed for residential purposes, and each will require disturbance less than one acre for a house, well and a septic system. Lots 1 through 4 will be located within the Town's R-2 Agricultural / Residential zone. Lot 5, located withing the Town's C-1 Commercial zone, will remain vacant.

As the four (4) new residential Lots are developed, silt fencing will be installed on the down slope side, temporary ditches and a temporary sediment basin will be installed, a concrete washout pit will be dug and the area will be stabilized by seeding and mulching per the Basic Stormwater Pollution Prevention Plan (SWPPP) details and specifications.

The total soil disturbance is more than 1 acre but less than 5 acres (about 3.0± acres) as the homes are built. Therefore, a Notice of Intent (NOI) is required by the NYSDEC Phase 2 Stormwater regulations and a Basic Stormwater Pollution Prevention Plan (SWPPP). After the homes are built and the ground stabilized, then a Notice of Termination (NOT) can be filed.

Disturbance of soils during construction will include site grading, cellar excavation, trenching for utilities, installing a septic system, installing a driveway and landscaping. Erosion and sediment controls will include as a minimum the use of the following:

1. Silt fence downhill of all disturbed areas until soils are stabilized by reseeded, mulch, etc.
2. Installation of a stabilized construction entrance at the driveway.
3. Temporary sediment basins for runoff until swales are stabilized.
4. Installing a temporary concrete wash out area.

Details of suggested methods of installation of the above and inspection requirements are attached.

Construction Sequence

Phase 1

1. The limits of clearing and grading will be identified.
2. Silt fence is to be installed in locations shown on the plans at all down slope areas.
3. A stabilized entrance is to be installed.
4. Trees will be cleared.
5. Topsoil to be stripped and stockpiled. Any temporary stockpiles to be left longer than 14 days are to be seeded and mulched or removed from site.
6. Installation of check dams and temporary sediment basins.
7. Installation of fill material.
8. Rough grading of site to drain.
9. Seed and mulch.
10. Grass to be established prior to any silt fencing being removed.

APPENDIX A
NYSDEC CONSTRUCTION ACTIVITY
PERMIT NO. GP-0-20-001

APPENDIX B

- **EROSION CONTROL NOTES**
- **STABILIZED CONSTRUCTION ENTRANCE FOR RESIDENTIAL SITE**
- **SILT FENCE**
- **STONE CHECK DAM**
- **STANDARDS AND SPECIFICATIONS FOR LAND GRADING**
- **STANDARDS AND SPECIFICATIONS FOR TOPSOILING**
- **STANDARDS AND SPECIFICATIONS FOR MULCHING**
- **STANDARDS AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDINGS**

APPENDIX A
NYSDEC CONSTRUCTION ACTIVITY
PERMIT NO. GP-0-20-001



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

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)(i), (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.

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson
Chief Permit Administrator

Authorized Signature [Handwritten Signature] Date 1-23-20

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

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

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A. Permit Application

This permit authorizes stormwater discharges to surface waters of the State from the following construction activities identified within 40 CFR Parts 122.24(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 2010, 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 measures 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.

a. 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 ("Op"): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Op) to predevelopment rates. The Op 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 ("Of"): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Of) to predevelopment rates. The Of 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 (Op): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Op) to predevelopment rates. The Op 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 (Of): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Of) to predevelopment rates. The Of 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.

- (vi) Extreme Flood Control Criteria (Of): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Of) to predevelopment rates. The Of 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 (Op): Not required if there are no changes to hydrology that increase the discharge rate from the project site.
- (iv) Extreme Flood Control Criteria (Of): 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.4. 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 § NYCRR 750-1.2(a)(2)(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 § NYCRR Part 132 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.

(Part I.F.2)

(Part I.F.3)

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:

- (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

- * 1-5 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 continuous project area;

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 VIII., 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.F. 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

- 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

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.

- 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 NOI 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

- 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

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;

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 2018. 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 2010, 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.8. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

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- 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 path/routing, and design points;
 - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow path/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.

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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 2010;

- j. A description of the pollution prevention measures that will be used to control filter, 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 2010. 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;

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- 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

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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

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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.

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(Part IV C.2.a)

(Part IV C.4.a)

- 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.

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- 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

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1. 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;

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- 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) has been deeded to the municipality in which the practice(s) is located.

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Part V.A.3.b

- 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

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Part VI.A

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.

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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:

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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

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(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,

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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 624 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

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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.

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R. Other Permits

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

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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
 OF - Extreme Flood
 Qp - Overbank Flood
 RRV - Runoff Reduction Volume
 RWEE - 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

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APPENDIX A

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

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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 162 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 (Equivalece) - 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 impervious 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 impervious structures such as patios, pools, and sheds.

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

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Appendix A

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, Cp, Op and Cf) in Part C.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

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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.

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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

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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 mulling 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 (Cp), 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.

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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 at seq.

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 activities, 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

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 not located in one of the watersheds listed in Appendix C or not directly discharging 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 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 • Construction of a barn or other agricultural building, 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, telephones, sewer mains, and water mains • Environmental enhancement projects, such as wetland mitigation projects, stormwater-retention 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/biathlon 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:

- Spot trees that will be covered with vegetation
- Vegetated dump waste projects (i.e. recreational parks, lawns, meadows, fields, downtown streets) 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 1 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 (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

**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 32(4b) 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 32(4b) 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, cafes, 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 1 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
- Sports complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Racetracks; includes racetracks with artificial dirt surface
- Road construction or reconstruction, including roads constructed as part of the construction activities 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

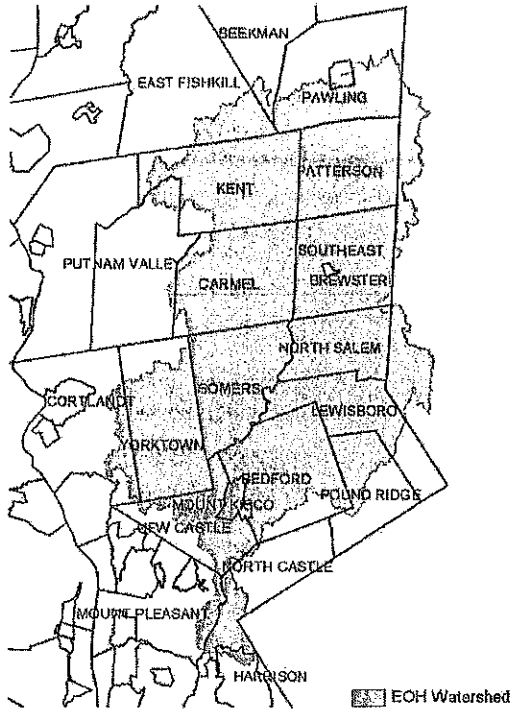


Figure 2 - Onondaga Lake Watershed

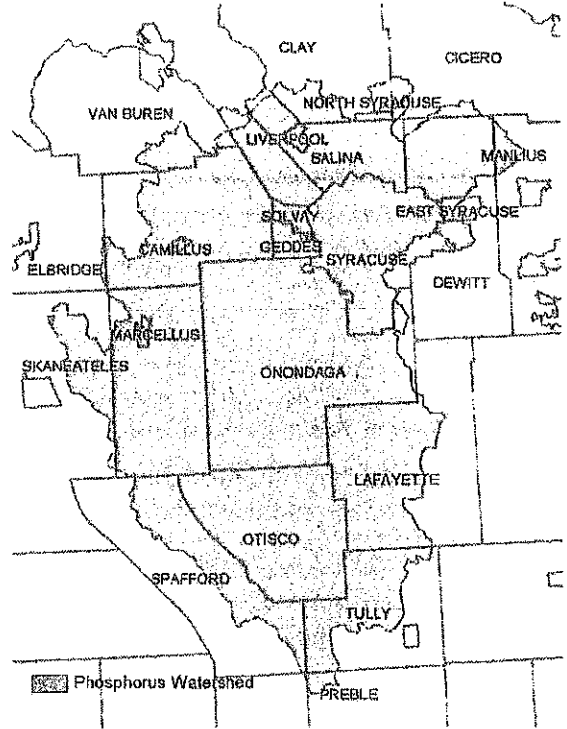


Figure 3 - Greenwood Lake Watershed

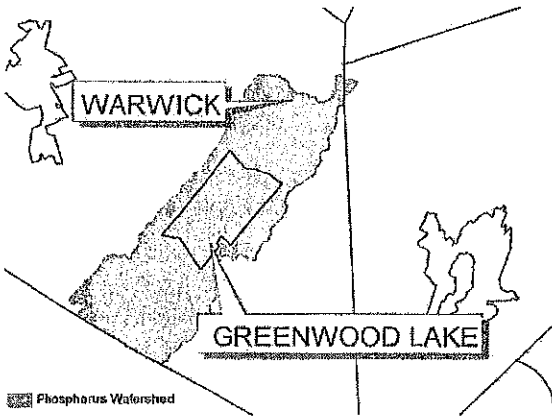


Figure 4 - Oscawana Lake Watershed

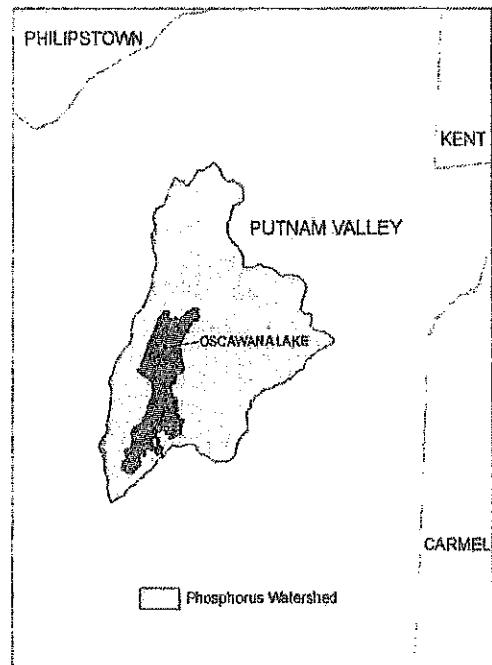
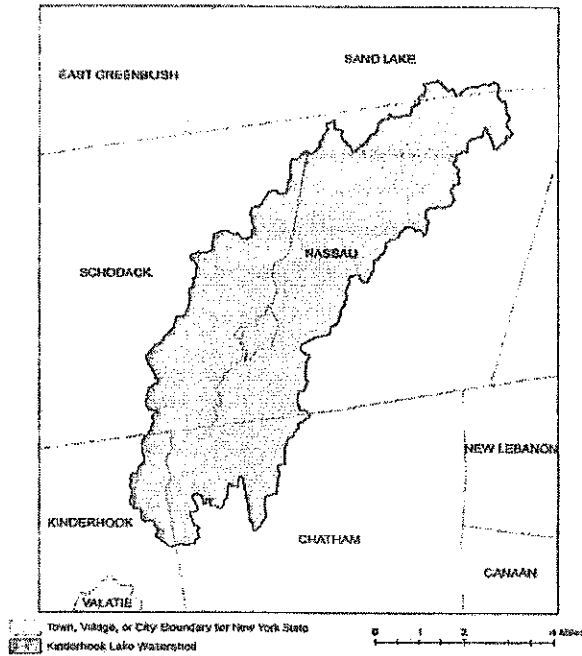


Figure 5 - Kinderhook Lake Watershed



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

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	Axon 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	Bessey (Alma) Lake	Nutrients
Cattaraugus	Cose Lake	Nutrients
Cattaraugus	Linfco/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sodus Bay	Nutrients
Chautauque	Bear Lake	Nutrients
Chautauque	Chadokon River and tribs	Nutrients
Chautauque	Chautauque Lake, North	Nutrients
Chautauque	Chautauque Lake, South	Nutrients
Chautauque	Findley Lake	Nutrients
Chautauque	Hulbert/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	Osco 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	Scagoada Creek, Lower, and tribs	Nutrients
Erie	Scagoada Creek, Middle, and tribs	Nutrients
Erie	Scagoada 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	Bigeau 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
Stings	Hendox 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 Ponds	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	Wall Creek/Blue Pond Outlet and tribs	Nutrients
Monroe	Minor Tribs to Longueuil 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	Campions Pond	Nutrients
Nassau	East Meadow Brook, Upper, and tribs	Silt/Sediment
Nassau	East Tuckaway 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	Millburn/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, Mill Creeks and tribs	Nutrients
Oneida	Harbor Brook, Lower, and tribs	Nutrients
Oneida	Lay Creek and tribs	Nutrients
Oneida	Minor Tribs to Oneida Lake	Nutrients
Oneida	Ninemile Creek, Lower, and tribs	Nutrients
Oneida	Oneida Creek, Lower, and tribs	Nutrients
Oneida	Oneida Creek, Middle, and tribs	Nutrients

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

Oneida	Oneida Lake, northern end	Nutrients
Oneida	Oneida 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	Howeys Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Manhagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Neatshwota	Nutrients
Orleans	Pleasant Lake	Nutrients
Putnam	Bog Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Overling 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	Kosena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Grays Pond	Nutrients
Rockland	Conger's Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Bellston 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	Deane Lake	Nutrients
Schenectady	Haravilla Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Sturmit Lake	Nutrients
Seneca	Rooder Creek and tribs	Nutrients
St. Lawrence	Black Lake Outlet/Black Lake	Nutrients
St. Lawrence	Fish Creek and minor tribs	Nutrients
Suffolk	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 Tonkonoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Matthuck (Marntonka) Pond	Nutrients
Suffolk	Meetinghouse/Ferrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millics 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 Lincolnale	Nutrients
Westchester	Lake Menhagan	Nutrients
Westchester	Lake Mohegan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamamoneck River, Lower	Silt/Sediment
Westchester	Mamamoneck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Pauch Lake	Nutrients
Westchester	Reservoir No. 1 (Lake Ida)	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	Treatown Lake	Nutrients
Westchester	Titus Reservoir	Nutrients
Westchester	Truandale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Java Lake	Nutrients
Wyoming	Silver Lake	Nutrients

APPENDIX F - List of NYS DEC Regional Offices

1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STANT BROOK, NY 11790 TEL. (831) 444-0265	50 CIRCLE ROAD STANT BROOK, NY 11790-3409 TEL. (831) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND ROCKLAND	1 HUNTERS POINT PLAZA, 47-40 21ST ST, LONG ISLAND CITY, NY 11101-5107 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST, LONG ISLAND CITY, NY 11101-5107 TEL. (718) 482-4933
3	OUTLINES, ORANGE, PUTNAM, ROCKLAND, SULLY, ULSTER AND WESTCHESTER	21 SOUTH FURY CORNERS ROAD HOW PALO, NY 12511-6595 TEL. (845) 258-3859	108 HOLLAND AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428-2595
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAIR, SCHENECTADY AND SCHUYLER	1150 NORTH WERTHOFF ROAD SCHENECTADY, NY 12309-2014 TEL. (518) 357-2060	1130 NORTH WERTHOFF ROAD SCHENECTADY, NY 12308-2014 TEL. (518) 357-2065
5	CATTARAUGUS, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 85, PO BOX 295 RAY BROOK, NY 12077-0295 TEL. (518) 897-1234	272 GOLF COURSE ROAD WARRENBURG, NY 12095-1172 TEL. (518) 823-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERLOO, NY 13091-3787 TEL. (315) 795-2240	STATE OFFICE BUILDING 307 GENESEE STREET UTICA, NY 13001-2685 TEL. (315) 795-2251
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, ROCKA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2100 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2100 TEL. (315) 426-7600
8	CHEMUNG, GENESSEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECGA, STEARNS, WAYNE AND YATES	6374 EAST AVON-LIMA RD. ROAD AVON, NY 14114-8519 TEL. (895) 228-2468	6374 EAST AVON-LIMA RD. AVON, NY 14114-8519 TEL. (895) 228-2468
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUE, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 854-1853	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

APPENDIX B

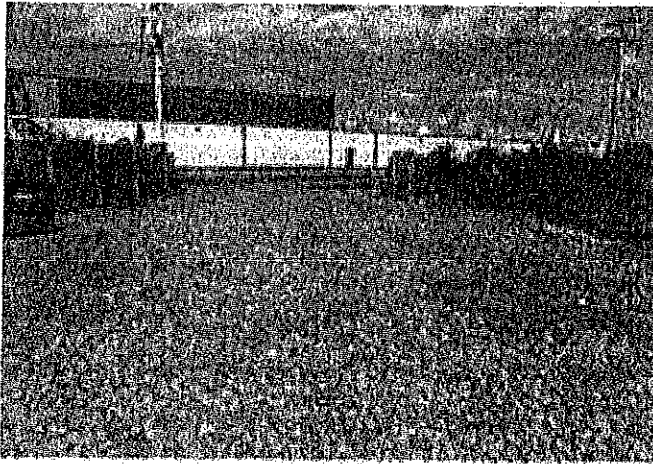
- EROSION CONTROL NOTES**
- STABILIZED CONSTRUCTION ENTRANCE FOR RESIDENTIAL SITE**
- SILT FENCE**
- STONE CHECK DAM**
- STANDARDS AND SPECIFICATIONS FOR LAND GRADING**
- STANDARDS AND SPECIFICATIONS FOR TOPSOILING**
- STANDARDS AND SPECIFICATIONS FOR MULCHING**
- STANDARDS AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDINGS**

Erosion Control Notes

The owner and contractor shall comply with the Stormwater Pollution Prevention Plan (SWPPP) prepared for this project and as a minimum implement the following erosion and sediment control measures:

1. Construction and maintenance of erosion and sediment control measures in accordance with the New York State standards and specifications for erosion and sediment control.
2. Installation of erosion and sediment control measures as shown on the plans or details and as needed during the general course of work.
3. Soil erosion will occur after every rainfall until turf is established. It shall be the contractor's responsibility to repair erosion after every rainfall. Failure to repair minor erosion will result in major erosion and possibly pavement and structure failure. Prior to site disturbance, erosion and sediment control measures shall be in-place.
4. Temporary installation of stabilized construction entrance pads at all location where construction vehicles will enter onto public streets. All public streets to be inspected and maintained clear of soil accumulation.
5. Excavation work carried out during periods of inclement weather shall require additional erosion control measures as may be necessary based on conditions.
6. Additional erosion control methods including soil stabilization mats. Placement of stone. Placement of soil may be required due to climatic conditions (excess rain, etc.)
7. Stabilization of disturbance areas to be paved by compaction and application of subbase within one month after utilities are installed.
8. Vegetative stabilization of disturbed areas to be seeded including R.O.W. and easements within two weeks of final grading.
9. Plans show temporary soil erosion and stabilization measures which shall be maintained until all areas are stabilized.
10. The contractor shall be responsible to seed and mulch (or hydroseed) and to provide an adequate water source and hoses for germination of the seed.
11. If the contractor elects not to install imported topsoil or spread topsoil from the site the seeding may not establish itself or may be subject to stress failure. The owner shall take complete responsibility for establishing the lawn by proper water and fertilizing.

STANDARD AND SPECIFICATIONS FOR STABILIZED CONSTRUCTION ACCESS



Definition & Scope

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

Conditions Where Practice Applies

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

Design Criteria

See Figure 2.1 on page 2.31 for details.

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

Thickness: Not less than six (6) inches.

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

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

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

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

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

Fabric Properties ¹	Light Duty ¹ Roads Grade Sub- grade	Heavy Duty ² Haul Roads Rough Graded	Test Meth- od
Grab Tensile Strength (lbs)	200	220	ASTM D1682
Elongation at Failure (%)	50	60	ASTM D1682
Mullen Burst Strength (lbs)	190	430	ASTM D3786
Puncture Strength (lbs)	40	125	ASTM D751 Modified
Equivalent	40-80	40-80	US Std Sieve
Opening Size			CW-02215
Aggregate Depth	6	10	-

¹Light Duty Road: Area sites that have been graded to subgrade and where most travel would be single axle vehicles and an occasional multi-axle truck. Acceptable materials are Trevira Spunbond 1115, Mirafi 100X, Typar 3401, or equivalent.

²Heavy Duty Road: Area sites with only rough grading, and where most travel would be multi-axle vehicles. Acceptable materials are Trevira Spunbond 1135, Mirafi 600X, or equivalent.

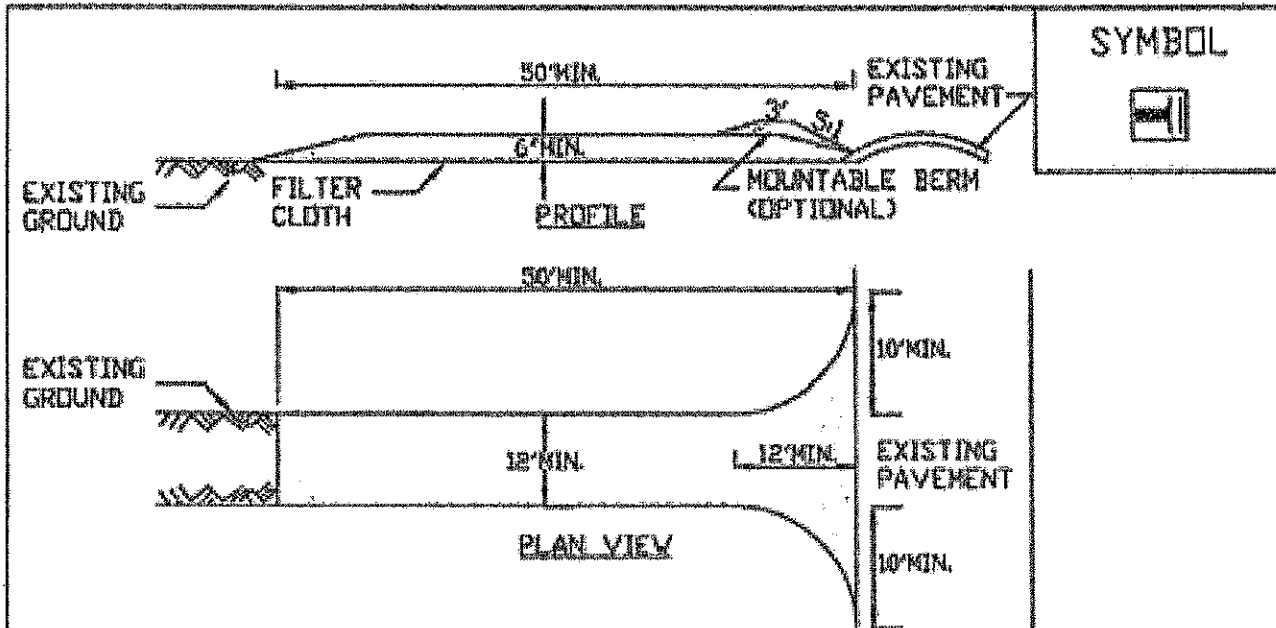
³Fabrics not meeting these specifications may be used only when design procedure and supporting documentation are supplied to determine aggregate depth and fabric strength.

Maintenance

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

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

**Figure 2.1
Stabilized Construction Access**



CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 1-4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. GEOTEXTILE - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ACCESS SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 3:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

ADAPTED FROM DETAILS PROVIDED BY USDA - NRCS,
NEW YORK STATE DEPARTMENT OF TRANSPORTATION,
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

**STABILIZED
CONSTRUCTION
ACCESS**

STANDARD AND SPECIFICATIONS FOR SILT FENCE



Definition & Scope

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

Conditions Where Practice Applies

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

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

Design Criteria

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

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

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

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

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

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

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

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

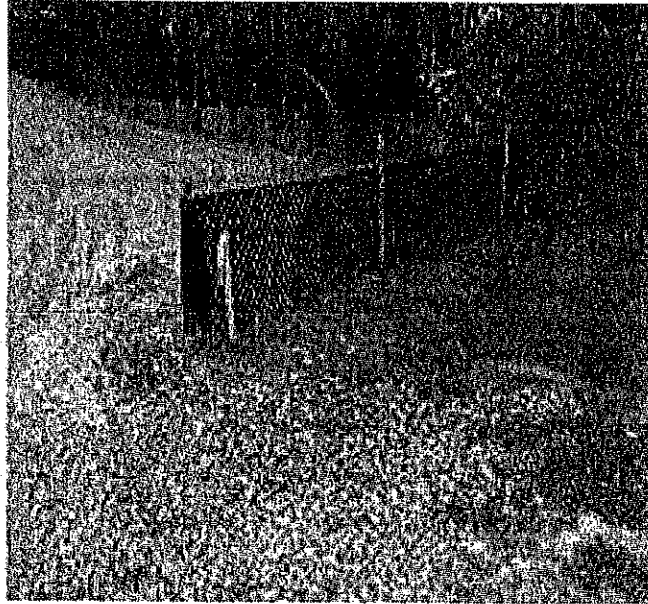
The silt fence shall be installed in accordance with the appropriate details. Where ends of filter cloth come together, they shall be overlapped, folded and stapled to prevent sediment bypass. Butt joints are not acceptable. A detail of the silt fence shall be shown on the plan. See Figure 5.30 on page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

Criteria for Silt Fence Materials

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

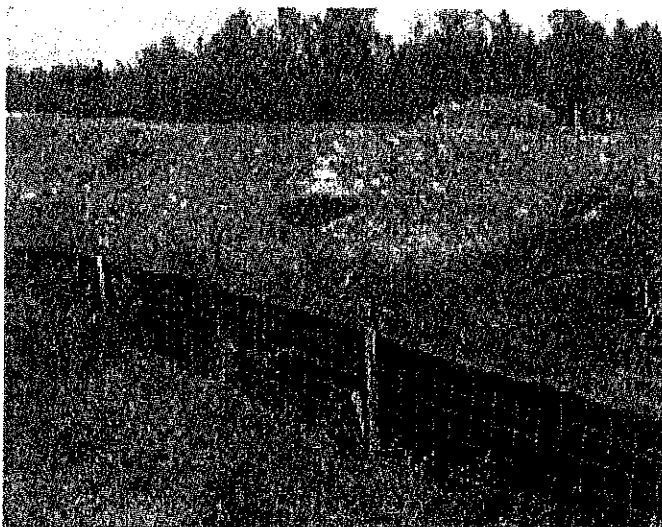
Super Silt Fence

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

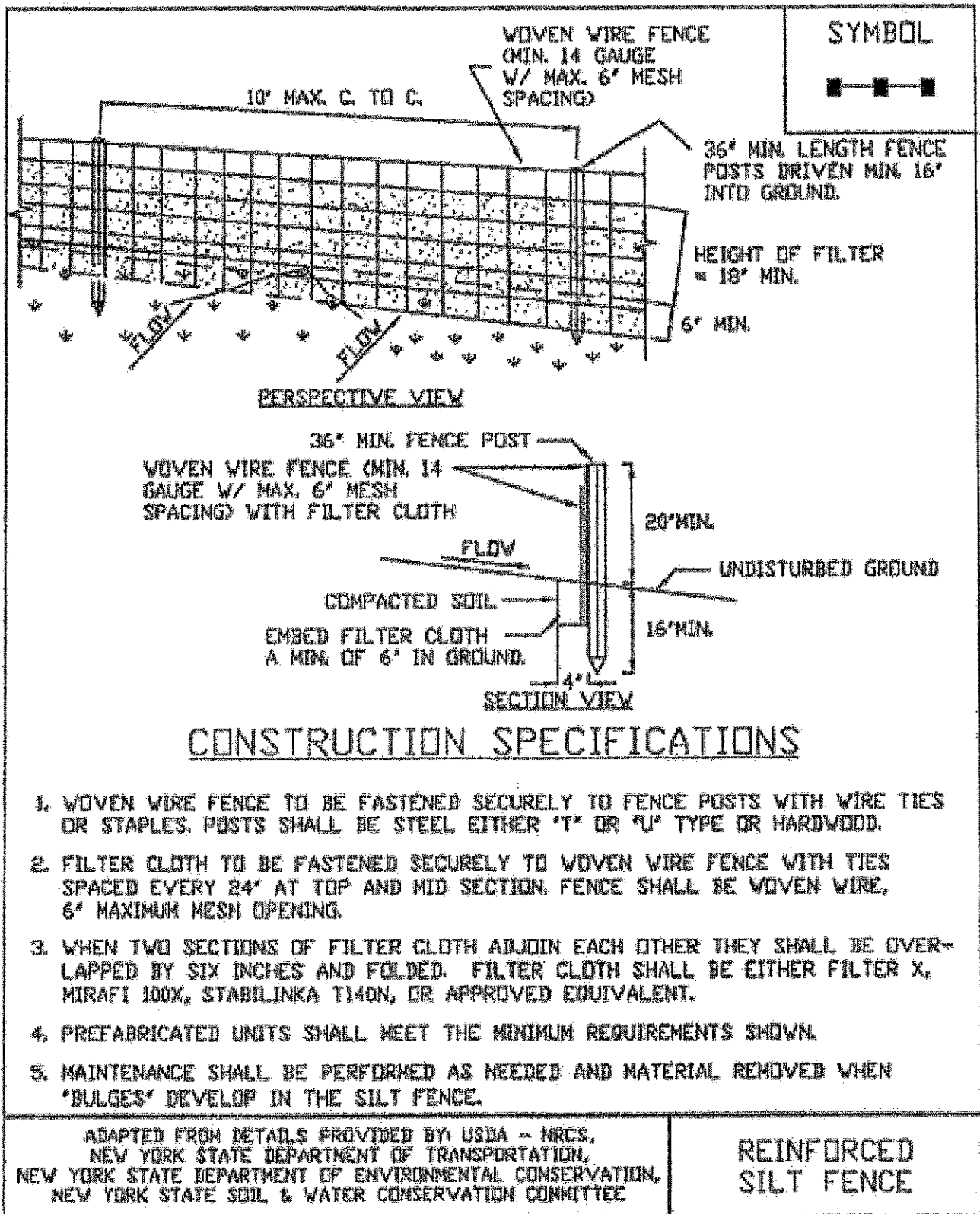


2. Fence Posts (for fabricated units): The length shall be a minimum of 36 inches long. Wood posts will be of sound quality hardwood with a minimum cross sectional area of 3.5 square inches. Steel posts will be standard T and U section weighing not less than 1.00 pound per linear foot. Posts for super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

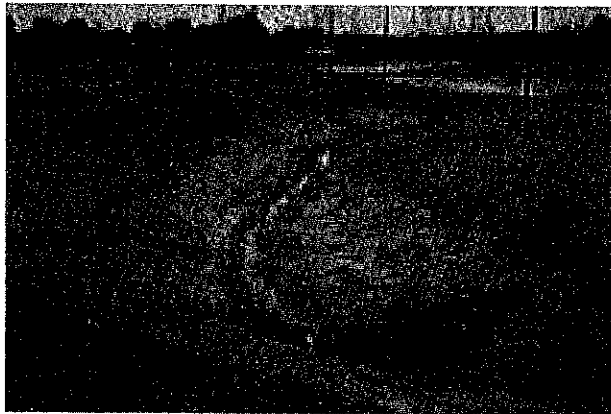
Reinforced Silt Fence



**Figure 5.30
Reinforced Silt Fence**



STANDARD AND SPECIFICATIONS FOR CHECK DAM



Definition & Scope

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

Conditions Where Practice Applies

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

Design Criteria

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

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

Side Slopes: Shall be 2:1 or flatter.

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

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

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

Example:

For a channel with and 2 ft. high stone they are spaced as
$$S = \frac{2 \text{ ft}}{0.04 \frac{\text{ft}}{\text{ft}}} = 50 \text{ ft}$$
 a 4% slope check dams, follows:

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

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

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

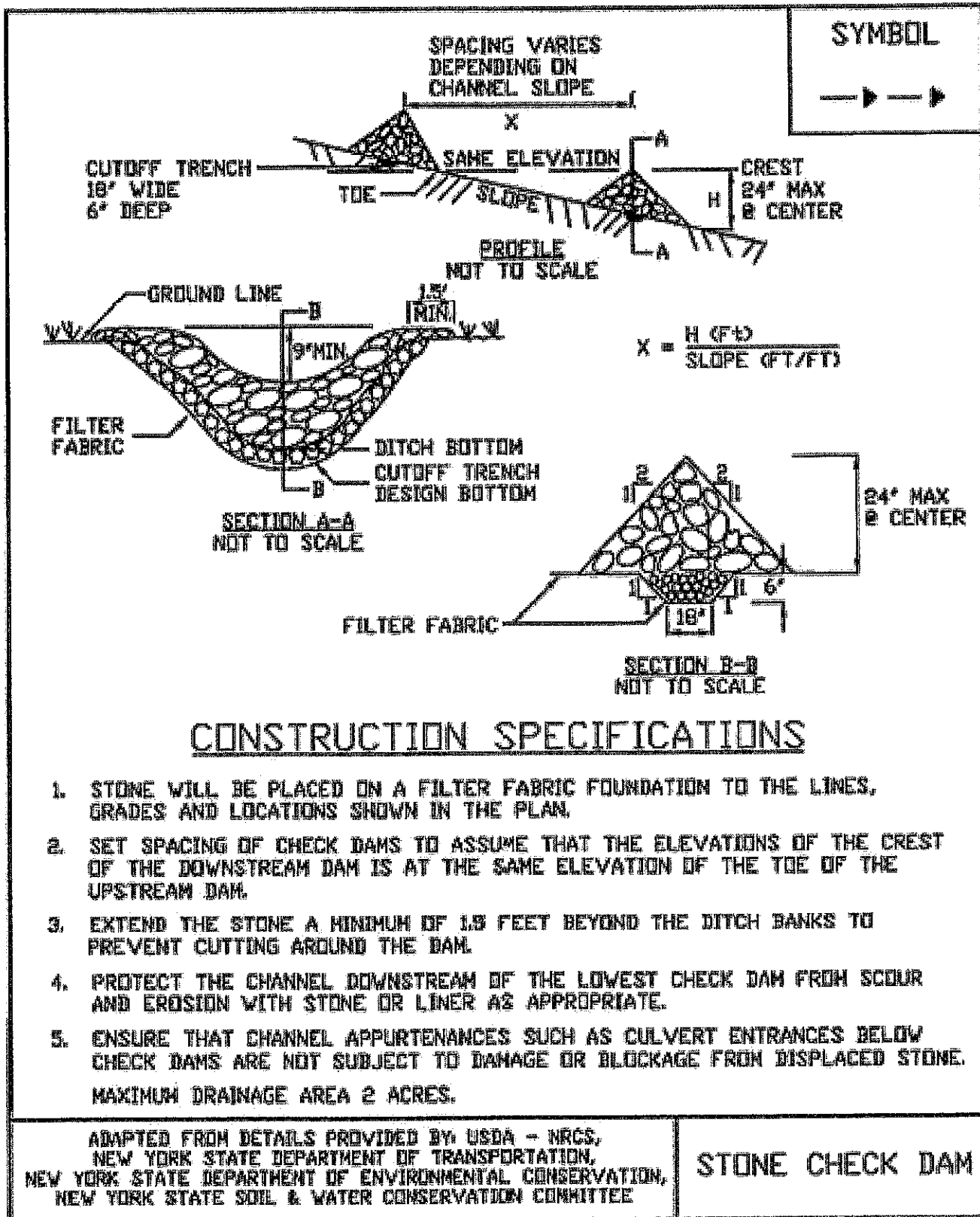
For filter sock or fiber roll check dams: The check dams will be anchored by staking the dam to the earth contact surface. The dam will extend to the top of the bank. The check dam will have a splash apron of NYS DOT #2 crushed stone extending a minimum 3 feet downstream from the dam and 1 foot up the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

Maintenance

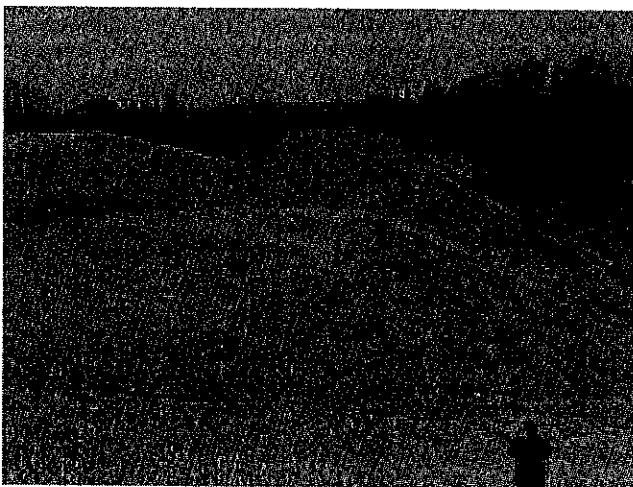
The check dams should be inspected after each runoff event. Correct all damage immediately. If significant erosion has occurred between structures, a liner of stone or other suitable material should be installed in that portion of the channel or additional check dams added.

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

**Figure 3.1
Stone Check Dam Detail**



STANDARD AND SPECIFICATIONS FOR LANDGRADING



Definition & Scope

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

Design Criteria

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

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

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

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

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

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

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

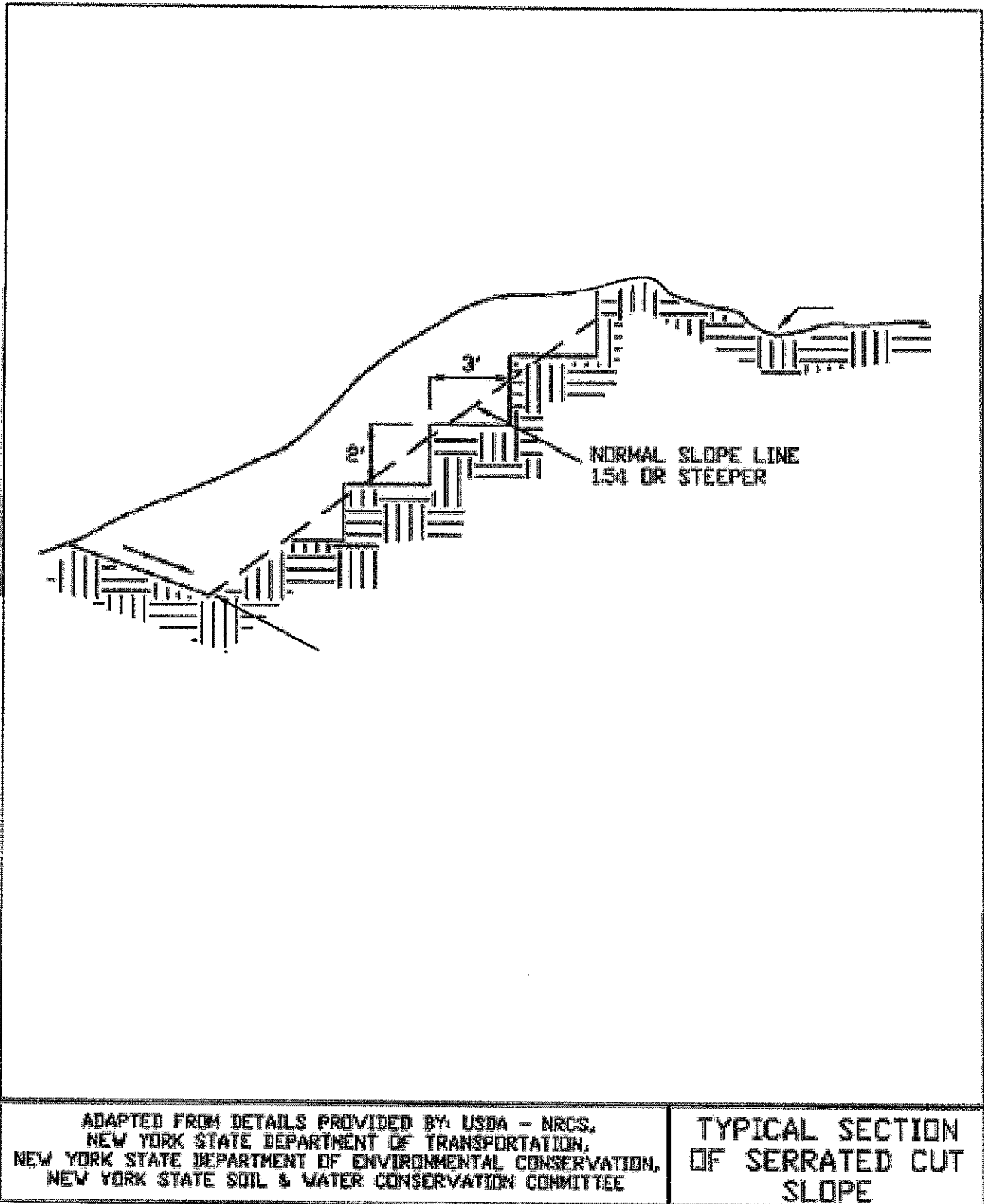
Construction Specifications

See Figures 4.9 and 4.10 for details.

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



Figure 4.9
Typical Section of Serrated Cut Slope



**Figure 4.10
Landgrading**

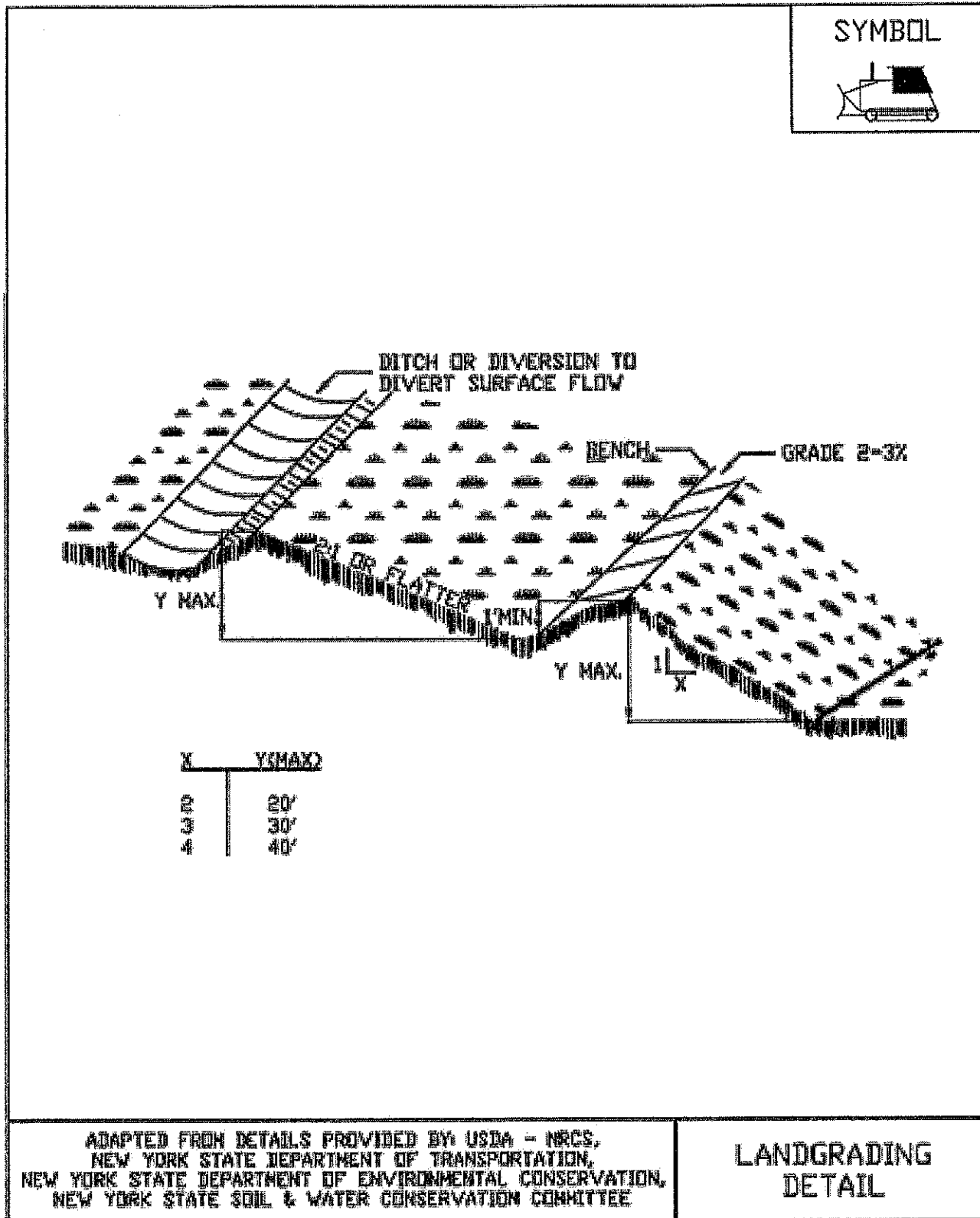


Figure 4.11
Landgrading - Construction Specifications

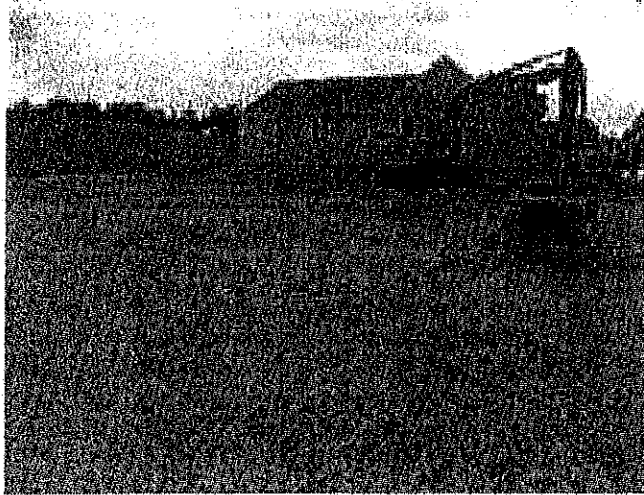
CONSTRUCTION SPECIFICATIONS

1. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE PERMANENTLY STABILIZED.
2. ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN.
3. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNT NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS.
4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL.
5. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF FOUR INCHES PRIOR TO PLACEMENT OF TOPSOIL.
6. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES.
7. ALL FILL SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS.
8. EXCEPT FOR APPROVED LANDFILLS, FILL MATERIAL SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS.
9. FROZEN MATERIALS OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED IN FILLS.
10. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES.
11. ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT.
12. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD.
13. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING.
14. STOCKPILES, BORROW AREAS AND SPOIL AREAS SHALL BE SHOWN ON THE PLANS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS STANDARD AND SPECIFICATION.

ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS,
NEW YORK STATE DEPARTMENT OF TRANSPORTATION,
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

**LANDGRADING
SPECIFICATIONS**

STANDARD AND SPECIFICATIONS FOR TOPSOILING



Definition & Scope

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

Conditions Where Practice Applies

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

Design Criteria

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

Site Preparation

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

Topsoil Materials

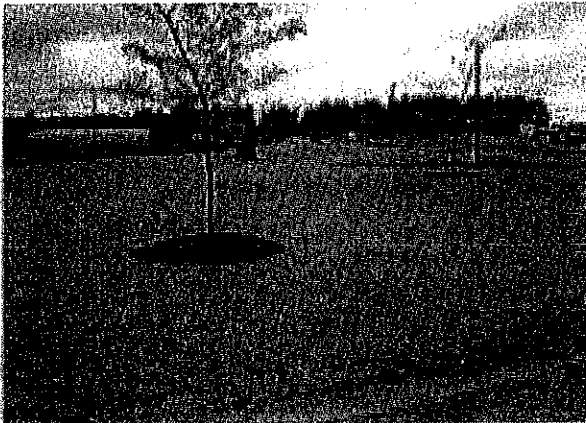
1. Topsoil shall have at least 6 percent by weight of fine textured stable organic material, and no greater than 20 percent. Muck soil shall not be considered topsoil.
2. Topsoil shall have not less than 20 percent fine textured material (passing the NO. 200 sieve) and not more than 15 percent clay.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

Application and Grading

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

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

STANDARD AND SPECIFICATIONS FOR MULCHING



Definition and Scope

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

Conditions Where Practice Applies

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

Criteria

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

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

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

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

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

Select appropriate mulch anchoring material.

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



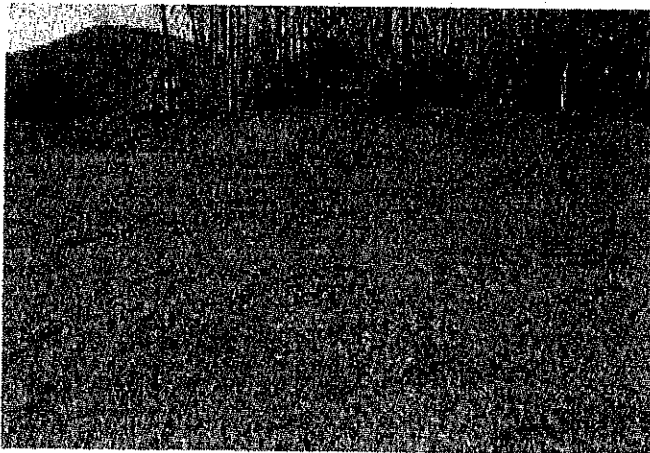
Table 4.2
Guide to Mulch Materials, Rates, and Uses

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

Table 4.3
Mulch Anchoring Guide

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

STANDARD AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDING



Definition & Scope

Providing temporary erosion control protection to disturbed areas and/or localized critical areas for an interim period by covering all bare ground that exists as a result of construction activities or a natural event. Critical areas may include but are not limited to steep excavated cut or fill slopes and any disturbed, denuded natural slopes subject to erosion.

Conditions Where Practice Applies

Temporary seedings may be necessary on construction sites to protect an area, or section, where final grading is complete, when preparing for winter work shutdown, or to provide cover when permanent seedings are likely to fail due to mid-summer heat and drought. The intent is to provide temporary protective cover during temporary shutdown of construction and/or while waiting for optimal planting time.

Criteria

Water management practices must be installed as appropriate for site conditions. The area must be rough graded and slopes physically stable. Large debris and rocks are usually removed. Seedbed must be seeded within 24 hours of disturbance or scarification of the soil surface will be necessary prior to seeding.

Fertilizer or lime are not typically used for temporary seedings.

IF: Spring or summer or early fall, then seed the area with ryegrass (annual or perennial) at 30 lbs. per acre (Approximately 0.7 lb./1000 sq. ft. or use 1 lb./1000 sq. ft.).

IF: Late fall or early winter, then seed Certified 'Aroostook' winter rye (cereal rye) at 100 lbs. per acre (2.5 lbs./1000 sq. ft.).

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.

Mulch the area with hay or straw at 2 tons/acre (approx. 90 lbs./1000 sq. ft. or 2 bales). Quality of hay or straw mulch allowable will be determined based on long term use and visual concerns. Mulch anchoring will be required where wind or areas of concentrated water are of concern. Wood fiber hydromulch or other sprayable products approved for erosion control (nylon web or mesh) may be used if applied according to manufacturers' specification. Caution is advised when using nylon or other synthetic products. They may be difficult to remove prior to final seeding and can be a hazard to young wildlife species.

APPENDIX C
NOTICE OF INTENT (NOI),
NOTICE OF TERMINATION (NOT) &
CONTRACTOR'S CERTIFICATION

NOI for coverage under Stormwater General Permit for Construction Activity

version 1.37

(Submission #: HQ0-T6PJ-5MGZ4, version 1)

Details

Originally Started By ABD Engineers
Alternate Identifier Putnam Subdivision
Submission ID HQ0-T6PJ-5MGZ4
Submission Reason New
Status Draft

Form Input

Owner/Operator Information

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

Owner/Operator Contact Person Last Name (NOT CONSULTANT)
Putnam

Owner/Operator Contact Person First Name
Edward

Owner/Operator Mailing Address
242 Duane Lake Road

City
Duaneburg

State
New York

Zip
12056

Phone

518-895-1053

Email

I88CYCKESHOP@YAHOO.COM

Federal Tax ID

N/A

If the owner/operator is an organization, provide the Federal Tax ID number, or Employer Identification Number (EIN), in the format xx-xxxxxxx. If the owner/operator is an individual and not an organization, enter "Not Applicable" or "N/A" and do not provide the individual's social security number.

Project Location**Project/Site Name**

Putnam Subdivision

Street Address (Not P.O. Box)

4136 Western TPKE

Side of Street

South

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Duanesburg

State

NY

Zip

12056

DEC Region

4

The DEC Region must be provided. Please use the NYSDEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm which DEC Region this site is located in. To view the DEC Regions, click on "Other Useful Reference Layers" on the left side of the map, then click on "DEC Administrative Boundary." Zoom out as needed to see the Region boundaries.

For projects that span multiple Regions, please select a primary Region and then provide the additional Regions as a note in Question 39.

County

SCHENECTADY

Name of Nearest Cross Street

North Mansion Road

Distance to Nearest Cross Street (Feet)

0

Project In Relation to Cross Street

NONE PROVIDED

Tax Map Numbers Section-Block-Parcel

67.00-2-6.11

Tax Map Numbers

N/A

If the project does not have tax map numbers (e.g. linear projects), enter "Not Applicable" or "N/A".

1. Coordinates

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

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

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

42.756523,-74.119631

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

New Construction

For the purposes of this eNOI, "New Construction" refers to any project that does not involve the disturbance of existing impervious area (i.e. 0 acres). If existing impervious area will be disturbed on the project site, it is considered redevelopment with either increase in impervious area or no increase in impervious area.

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

Pre-Development Existing Landuse

Forest

Post-Development Future Land Use

Single Family Subdivision (Please answer 3a)

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

4

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)

22.3

Total Area to be Disturbed (acres)

3.0

Existing Impervious Area to be Disturbed (acres)

0.0

Future Impervious Area Within Disturbed Area (acres)

0.5

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 (%)

7.6

D (%)

92.4

7. Is this a phased project?

Yes

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

04/01/2024

End Date

04/01/2025

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

Unnamed tributary to Norman Kill

Drainage ditches and storm sewer systems are not considered surface waterbodies. Please identify the surface waterbody that they discharge to. If the nearest surface waterbody is unnamed, provide a description of the waterbody, such as, "Unnamed tributary to Niagara River."

9a. Type of waterbody identified in question 9?

Stream/Creek Off Site

Other Waterbody Type Off Site Description

N/A

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

NONE PROVIDED

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

No

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

No

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

No

Please use the DEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm if this site is located in one of the watersheds of an AA or AA-S classified water. To view the watershed areas, click on "Permit Related Layers" on the left side of the map, then click on "Class AA AAS Watersheds."

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?

NONE PROVIDED

If Yes, what is the acreage to be disturbed?

NONE PROVIDED

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

No

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

Yes

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

Town of Duanesburg

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
ABD Engineers & Surveyors, LLP

Contact Name (Last, First)
Blanchine, Joseph

Mailing Address
411 Union St.

City
Schenectady

State
NY

Zip
12305

Phone
5183700315

Email
joe@abdeng.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

Stabilized Construction Entrance

Sediment Traps

Sediment Basin

Silt Fence

Temporary Swale

Check Dams

Biotechnical

None

Vegetative Measures

Mulching

Seeding

Sodding

Topsoiling

Permanent Structural

None

Other

NONE PROVIDED

Post-Construction Criteria

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

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

NONE PROVIDED

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

NONE PROVIDED

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

NONE PROVIDED

29. Post-construction SMP Identification

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

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

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

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

NONE PROVIDED

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 33.

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

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

33. SMPs

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

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

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

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

NONE PROVIDED

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

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

NONE PROVIDED

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

NONE PROVIDED

If Yes, go to question 36.

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

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

CPv Required (acre-feet)

NONE PROVIDED

CPv Provided (acre-feet)

NONE PROVIDED

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

NONE PROVIDED

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

Overbank Flood Control Criteria (Qp)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

Total Extreme Flood Control Criteria (Qf)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

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

NONE PROVIDED

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

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.
Individual SPDES

If SPDES Multi-Sector GP, then give permit ID
NONE PROVIDED

If Other, then identify
NONE PROVIDED

41. Does this project require a US Army Corps of Engineers Wetland Permit?
No

If "Yes," then indicate Size of Impact, in acres, to the nearest tenth
NONE PROVIDED

42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.
NONE PROVIDED

MS4 SWPPP Acceptance

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

No

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?

NONE PROVIDED

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



Owner/Operator Certification Form

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

Project/Site Name: Putnam Subdivision

eNOI Submission Number: HQ0-T6PJ-5MGZ4

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



SWPPP Preparer Certification Form

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

Project Site Information

Project/Site Name

Putnam Subdivision

Owner/Operator Information

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

Edward Putnam

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

J.

MI

Bianchine

Last Name

Signature

Date

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

(NOTE: Submit completed form to address above)

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

Please indicate your permit identification number: NYR _____

I. Owner or Operator Information

1. Owner/Operator Name: Edward Putnam

2. Street Address: 242 Duane Lake Road

3. City/State/Zip: Duanesburg, NY 12056

4. Contact Person: Edward Putnam

4a. Telephone:

4b. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name: Putnam Subdivision

6. Street Address: 4136 Western TPKE

7. City/Zip: Duanesburg, NY 12056

8. County: Schenectady

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:

*****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
- Tax Map ID #
- Zoning district
- Current Original Deed
- NYS Survey (L.S. & P.E.)
- North Arrow, scale (1"=100')
- Boundaries of the property plotted and labeled to scale.
- School District/Fire District
- Green area/landscaping
- Existing watercourses, wetlands, etc.
- Contour Lines (Increments of 10ft.)
- Easements & Right of ways
- Abutting Properties Wells/ Sewer Systems within 100ft.
- Well/ Water system
- Septic system: Soil investigation completed?
- Sewer System: Which district?
- Basic SWPPP (1≥ & <5)
- Full Storm Water Control Plan (5acres or more)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/eafmapper/
- Street pattern: Traffic study needed?
- All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

- New or existing building
- Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage
- Parking, Handicap Spaces, & Lighting plan

Date February 2, 2-24

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust Proposal; Construct solar panels (12' in height) on approximately 16.5 acres of the property, including 2 equipment pads, gravel access drive and perimeter fencing. Remaining portion of site consisting of trees and light brush will remain as is.

No buildings are proposed Section 8 of zoning Ordinance.

Present Owner: Charles Rhoads (AS APPEARS ON DEED!)

Address: 3364 US Route 20, Sloansville, NY Zip code: 12160

Phone # (required) 518-231-2694

Applicants Name (if different): Kruger Energy Phone# (required) 203-851-3840

Location of Property (if different from owners) 909 Alexander Road

Tax Map # 65.00-2-15-21 Zoning District R-2

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duanesburg to walk the property for the purposes of conducting a site review.

Signature of Owner (S) and/or Applicant(S) _____

Date 2/2/24

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

Albany Office

100 Great Oaks Boulevard, Suite 114, Albany, NY 12203

P: 1.833.723.4768

April 15, 2024

Jeffrey Schmitt, Planning Board Chairman
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

**Re: Kruger Energy Solar Project
Site Plan and Special Use Permit Application Review
Our Project No. 240619-000R**

Dear Mr. Schmitt:

We are in receipt of the Planning Board Application dated 4/2/2024, Site Plan dated January 2024, State Historic Preservation Office (SHPO) "No Effect" Letter dated 4/5/2023, Decommissioning Plan dated 9/8/2023, Visual Impact Analysis dated 9/13/2023, Visual Impact Assessment dated January 2024, Full Environmental Assessment Form (FEAF) Part 1 dated 2/2/2024, Bat Acoustics Survey dated 10/16/2024, Monarch Butterfly Habitat Assessment dated 10/3/2023, Sound Study Report dated 12/11/2023, Glare Hazard Analysis dated 6/30/2023, Stormwater Pollution Prevention Plan (SWPPP) dated February 2024, and Kruger O&M Manual revised 8/5/2018. The proposed project involves the lot line adjustment and construction of a 4.199KW-AC Photovoltaic Plant with a service/emergency access roadway and related electrical appurtenances, and stormwater management practices on approximately 16.5 acres of a 53.59 +/- acre parcel of land located at 909 Alexander Road (tax id 65.00-2-15.11) in the Town of Duanesburg. The proposal project is within the Agricultural-Residential-2 (R-2) zoning district.

Based on a review of the provided documents we have the following comments:

FEAF Part 1

1. The Applicant stated in their answer to question D.1.b that the total acreage to be physically disturbed is >1.0 acres. We ask the Applicant to identify the calculated acreage to be disturbed.
2. The Applicant indicated in their response to question E.2.h.iii that there are wetlands or waterbodies within or adjoining the project site regulated by federal, state or local agency but did not answer the following question E.2.h.iv asking for the identification of the regulated wetland/waterbody on the project site. We ask the Applicant to provide the appropriate identification information.
3. The Applicant has not completed question E.3.b identifying if there are agricultural lands consisting of highly productive soils present and if so, to provide the acreage and soil rating. We ask the Applicant to complete this question.
4. The Applicant has not completed question E.3.e and provide the nature of historic/archaeological resource and a brief description of attributes on which the list is based.
5. The Applicant has provided a letter from NYS Parks, Recreation and Historic Preservation dated 4/5/2023 stating that based on their review no properties, including archaeological and/or historic resources, listed in or eligible for the NYS and National Registers of Historic Places will be impacted by

this project. This verifies the Applicant's answer to question E.3.f that no part of the project site or adjacent area is designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

Site Plan

1. The Applicant has not provided the following details on the provided Site Plan/drawing set for review:
 - Existing conditions including vegetation, bodies of water, above and below-ground utility lines, transformers and other ancillary facilities or structures.
 - Total area(s) of disturbance
 - Clearing and Grading plans
 - Gate details including location, dimensions, and design details.
 - Access road details
 - Screening/planting details including species, density, location, and height/size of plantings. The Applicant will also provide a guarantee that all plantings that form part of the approved landscape and screening plan will be maintained and replaced if necessary during the life of the project.
 - Fence details.
 - Swing gate details.
 - Solar panel details.
 - Construction details including truck loading areas, showing points of entry and exit from the site.
 - Stormwater management plan details including the location, design, and construction outline of all existing or proposed site improvements, including culverts, drains, retaining walls and fences.
 - Lighting plan and location(s).
 - Electrical diagrams.
 - Laydown area details.
 - Signage Plan.
2. The Applicant has stated in their answer to FEAF question D.2.b.i and D.2.b.ii that there will temporary disturbance of wetlands to allow for the installation of solar panel support posts and that it is identified on the plan set, however on the provided Site Plan it has not been identified. We ask the Applicant to provide the location and details.
3. The location of occupied residences on the neighboring non-participating properties need to be shown on the site plan to confirm that they are at least 450 feet from all solar project structures and equipment.
4. The Zoning Summary Table for Utility Solar System indicates the maximum solar panel height of the proposed project is 12ft which is within the 15ft maximum solar panel height allowed per the Solar Energy Facilities Law of the Town of Duanesburg.
5. In their response to question E.1.b the Applicant indicated a decrease in the acreage of roads, buildings, and other paved or impervious surfaces as well as a decrease in forested land. We ask the Applicant to provide on the site plan the location of both land use/cover types.

6. The proposed project includes a fence around the solar panels and is within the 20ft tree buffer as required in the Solar Energy Facilities Law of the Town of Duaneburg. However, the Applicant has not provided the height of the proposed fence for review.

Visual Impact Analysis

1. The Visual Impact Analysis (VIA) was conducted based on topography only and at nine residential viewsheds within a 0.5 mile radius. The Analysis and cross section views for each residence shows that the solar panels have the potential to be visible from Residence 1, 2, 3, 5 and 7. Further visual simulation analysis was performed and is commented on below.

Visual Simulations

1. As the above VIA showed that the panels have the potential to be viewed from 5 locations, why were 2 residences excluded (5 and 7) from the visual simulations? We ask that these 2 properties be added (receptors E and F).
2. The review comments numbered 3 through 5 below are prefaced with the statement that we find the visual simulation photos to be blurry. The photo simulations should be shown with clear photographs and ideally in an autumn season with no leaves on the trees. An existing condition with no solar panels should be compared with a proposed condition with solar panels.
3. The view at Location A depicts a view of the site entrance of the access road on Alexander Road in winter with snowfall in existing conditions and then the proposed view in Figure 3 at planting and Figure 4 at 5 years of growth. The panels are not visible in Figure 3 as there are trees that provide a buffer even during winter when there are no leaves or pine needles.
4. The view at Location B depicts a view of the site on Alexander Road looking East in winter with snowfall in existing conditions. Figures 6 shows minimal view of the panels on the day of planting, and Figure 7 a decrease in the view after 5 years of growth.
5. The view at Location C depicts a view of the site on Alexander Road looking East in winter with snowfall in existing conditions. Figures 9 shows minimal view of the panels on the day of planting, and Figure 10 shows minimal to no view of the panels after 5 years of growth.

Bat Acoustics Memo

1. In the provided Bat Acoustics analysis prepared by Stantec Consulting Services, Inc., the results indicated that although there were passes classified by Kaleidoscope Pro (KPro) software as northern long-eared bat and tricolored bat for those nights indicating presence, it was determined after further analysis that those passes classified as northern long-eared bat did not contain call characteristics indicative of northern long-eared bats (i.e., max frequency well above 90–100 kilohertz [kHz] and characteristically steep slope).

Monarch Memo

1. In the Monarch Butterfly Habitat Assessment prepared by Stantec Consulting Services, Inc., the assessment included a site survey to evaluate the presence of suitable habitat for the monarch

butterfly caterpillar and to look for the presence of the species on the site. A single patch of swamp milkweed was found near the access road to the Project Site however no monarch caterpillars or eggs were observed on these plants. No monarch butterflies were observed during the site survey. No monarch caterpillars or eggs were found on or around the milkweed on the site. The assessment concludes that there is limited breeding habitat for monarch butterfly eggs and caterpillars and although there are suitable flowering plants for the butterfly stage, this would likely be short-term and limited, and the flowering plants are generally abundant and not limited to the Project Site.

Sound Study Report

1. The Executive Summary states that “the noise assessment was completed in accordance with the requirements of the 2023 Town of Duanesburg Solar Energy Facilities Law, which requires projects comply with the New York Office of Renewable Energy Siting (NYORES) operational noise limits included in 19 NYCRR 900-2.8.”
2. The study advises that there are 17 string inverters and two medium voltage transformers that were included in the noise study. The project does not include a substation with power transformers.
3. Details showing the solar panel support posts have not been provided, but utilizing screw piles instead of pile driving of posts should be considered as a construction noise mitigation measure.
4. The cumulative noise analysis took into account the noise generated from both the proposed Kruger Solar facility and the existing solar facility at 726 Alexander Road.
5. The applicant shall provide the exact reference of the 55 dBA Leq (8h) noise limit shown in Table 8.1. for confirmation that it has been used appropriately.
6. Table 8.4 Estimated Maximum Increase of Project Noise above Existing Ambient Noise, shows that there is only a 2 dB increase (49 dB to 51 dB) from the project above the existing ambient noise levels at the western property line and all other receptors would not have an increase from the project. A 2 dB change in sound is essentially not noticeable.
7. The site plan shows three (3) vacant lots on the eastern side of Alexander Road that have a common boundary with the solar parcel and could be developed in the future. A discussion of the potential impact on future residential homes on these lots should be added to the study.
8. If the site layout changes from the one that was analyzed, we would require that the noise impact evaluation be updated to confirm compliance with the Twon code.

Glare Study

1. Potential for glare for nine airports including all approach paths was conducted and included Duanesburg Airport, Nettie’s Place Airport, Boss Airport, Blue Heron Airport, Mariaville Aerodrome, Gar Field Airport, and unnamed airport, Wandervogel Airport, and Hogan Airport.
 - a. No predicted glare for 8 out of 9 airports and 17 out of 18 approach paths located within 10 miles of the Project Site.
 - b. Green glare is predicted for the westbound approach for the unnamed airport for up to approximately 35 minutes per day from April through August. The Federal Aviation Administration does not consider green glare to be an issue for pilots.
2. Potential glare to drivers was evaluated for both passenger vehicles and semi-trucks, where the passenger vehicles were assumed to have a maximum viewing height of 5-ft above ground level while

the viewing height for drivers of semi-trucks was assumed to be a maximum of 9-ft above ground level. The results of the analysis were provided in the Rhoades Glare Summary (page 23) of the Study.

- a. The results indicated 2 of the 9 route locations green glare was predicted in May and July, and 4 of the 31 house locations green glare was predicted during the late spring and summer months. The length of time for predicted glare ranged between 1 to 13 minutes.
3. In section 2.3 Obstruction Tool, there is a figure of “240 wide”, which does not have the measurement units listed. The applicant should add the units.

SWPPP

1. The Applicant has provided a SWPPP Summary Report for review. Please provide the full SWPPP for review and approval by the Planning Board. The full SWPPP needs to contain the following elements:
 - a. Background information, scope, location and type of project
 - b. Nearest water body.
 - c. A site map and construction drawings.
 - d. A soil description of map including soil map.
 - e. A construction phasing plan .
 - f. O&M practices for all the practices being proposed during construction.
 - g. A site map and construction drawings showing the erosion and sediment control practices.
 - h. Dimensions, material specifications, and installation details of the E&SC practices.
 - i. Inspection guidelines for all practices, including a maintenance inspection schedule.
 - j. Details regarding the responsibilities of the inspector.
 - k. Pollution prevention measures .
 - l. Details on any post construction stormwater features (if any).
2. Please modify “velo” to “velocity” wherever applicable.
3. Please provide the Appendixes referenced in the Summary Report.
4. Please include the pollution control methods used for vehicle washing.

Operations and Maintenance

1. It is stated that this is a general Standard Operating Practice (SOP) for the O&M of Kruger Energy solar projects and that it will be finalized during construction and commissioning to incorporate all equipment subject to the O&M Plan. We would like to know what level of revision is expected to be necessary that it cannot be finalized at this time.
2. An Emergency Response Plan is still required to be completed and submitted for review.
3. The Routine Scheduled Preventive Maintenance section states “One of the most valuable techniques for identifying existing problems and preventing future problems is to walk the site and conduct a thorough visual and hands-on inspection of the PV system components”, but then only an annual inspection is proposed, which seems to be inadequate.
4. There is no section that describes landscaping and ground surface maintenance procedures and schedule.

Decommissioning Plan

1. A draft Decommissioning Pan (Plan) dated 9/8/2023 was provided for review and identifies Kruger Energy (USA) Inc. as the applicant.
2. In section 2 it is mentioned that “grade slabs will be broken and removed to a depth of three feet below grade”, however the Duanesburg Solar Law requires “The removal of all energy facilities, structures and equipment including any wires and footings from the parcel.”
3. In section 2 it is mentioned that “The access road will remain in place and the local utility will be responsible for dismantling those overhead wires, poles, or ground mounted equipment under its ownership.”, however the Duanesburg Solar Law requires “Any access roads created for building or maintaining the system shall also be removed and replanted with vegetation.”
4. The Plan should mention how existing field drain tiles will be located prior to construction, repaired when encountered during construction and restored during the decommissioning period. A cost for drain tile restoration should be added to the decommissioning cost estimate.
5. The Site Stabilization section of the Plan should be expanded to discuss NYSDAM Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands (latest edition) for this Agricultural and Residential (R-2) zoned parcel.
6. The applicant should include the cost of the Environmental Monitor to be hired during the property restoration phase as required by NYSDAM.
7. The applicant should include the cost to provide for a monitoring and remediation period of one complete growing season following the date upon which the desired crop is planted after decommissioning.
8. We ask that a more detailed decommissioning cost estimate be prepared which includes quantities and unit prices for the individual components, not a general cost per acre. The detailed decommissioning cost estimates will be reviewed once the above additional information is added.
9. The applicant proposes to fund the decommissioning with an irrevocable standby Letter of Credit, which will need to be reviewed by the Town Attorney.
10. We ask that language be added stating that the decommissioning cost estimate needs to be updated and submitted to the Town every 5 years for review and approval and the that decommissioning security be updated accordingly.
11. A proposed Decommissioning Agreement has not been drafted and included with the Plan for review.

If you have any questions, please feel free to contact me.

Sincerely,



Douglas P. Cole, PE
Senior Director of Engineering

cc: Chris Parslow, Planner
Carol Sowycz, Planning & Zoning Clerk
Dominick Arico, PE, Arico Associates

*****FOR OFFICE USE ONLY*****



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
 - Tax Map ID #
 - Zoning district
 - Current Original Deed
 - NYS Survey (L.S. & P.E.)
 - North Arrow, scale (1"=100')
 - Boundaries of the property plotted and labeled to scale.
 - School District/Fire District
 - Green area/ landscaping
 - Existing watercourses, wetlands, etc.
 - Contour Lines (increments of 10ft.)
 - Easements & Right of ways
 - Abutting Properties Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system-Soil investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (1≥ & <5)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/eafmapper/
 - Street pattern: Traffic study needed?
 - All property Mergers **REQUIRE** both owners Signatures on the Application
- Additional Requirements for Special Use Application:**
- New or existing building
 - Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage Parking, Handicap Spaces, & Lighting plan**

Date 9/7/23

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
Proposal: Return building to a two family dwelling

Section 8.4 of 8 Ordinance.

Present Owner: THOMAS SANDOZ (AS APPEARS ON DEED!!)
Address: 308 LAKE ROAD Zip code: 12053
Phone # (required) 518-688-4971

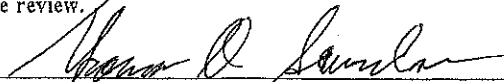
Applicants Name (if different): _____ Phone# (required) 518-688-4971
Location of Property (if different from owners) 6928 Duaneburg Rd
Tax Map # 67.05-2-13.1 Zoning District H

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.



Date 09/07/23

Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: \$100 Check# 398 (For office use only)
Reviewed By _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

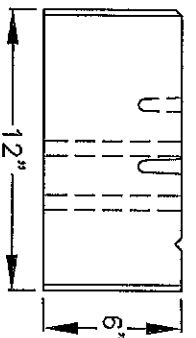
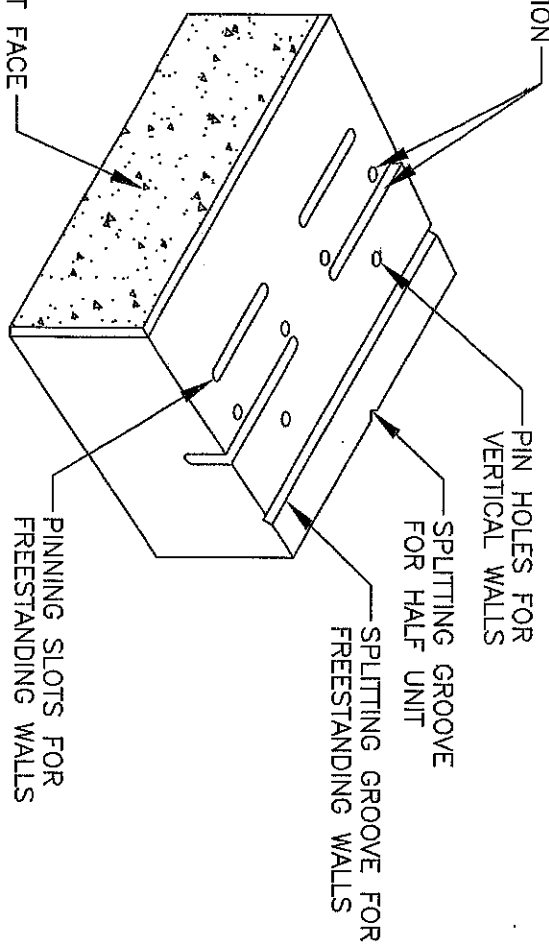
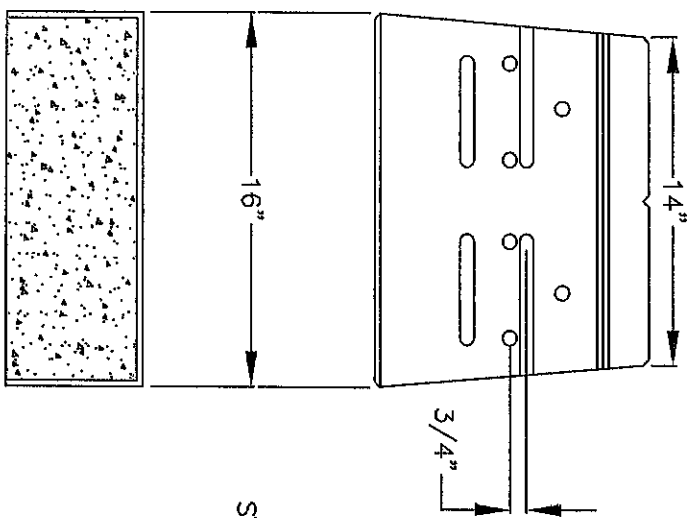
Planning Chairperson

Date

Code Enforcement

Date

PIN HOLES AND SLOTS FOR 3/4" SETBACK WALL CONSTRUCTION



VERSA-LOK UNIT

UNIT DIMENSIONS
SCALE: NONE

THESE PRELIMINARY DETAILS ARE INTENDED AS AN AID IN DESIGNING ATTRACTIVE, DURABLE RETAINING WALLS WITH VERSA-LOK UNITS. FINAL DETERMINATION OF THE SUITABILITY OF ANY INFORMATION OR MATERIAL FOR THE USE CONTEMPLATED, AND ITS MANNER OF USE IS THE SOLE RESPONSIBILITY OF THE USER. A FINAL PROJECT SPECIFIC DESIGN SHOULD BE PREPARED BY A QUALIFIED, LICENSED, PROFESSIONAL ENGINEER.



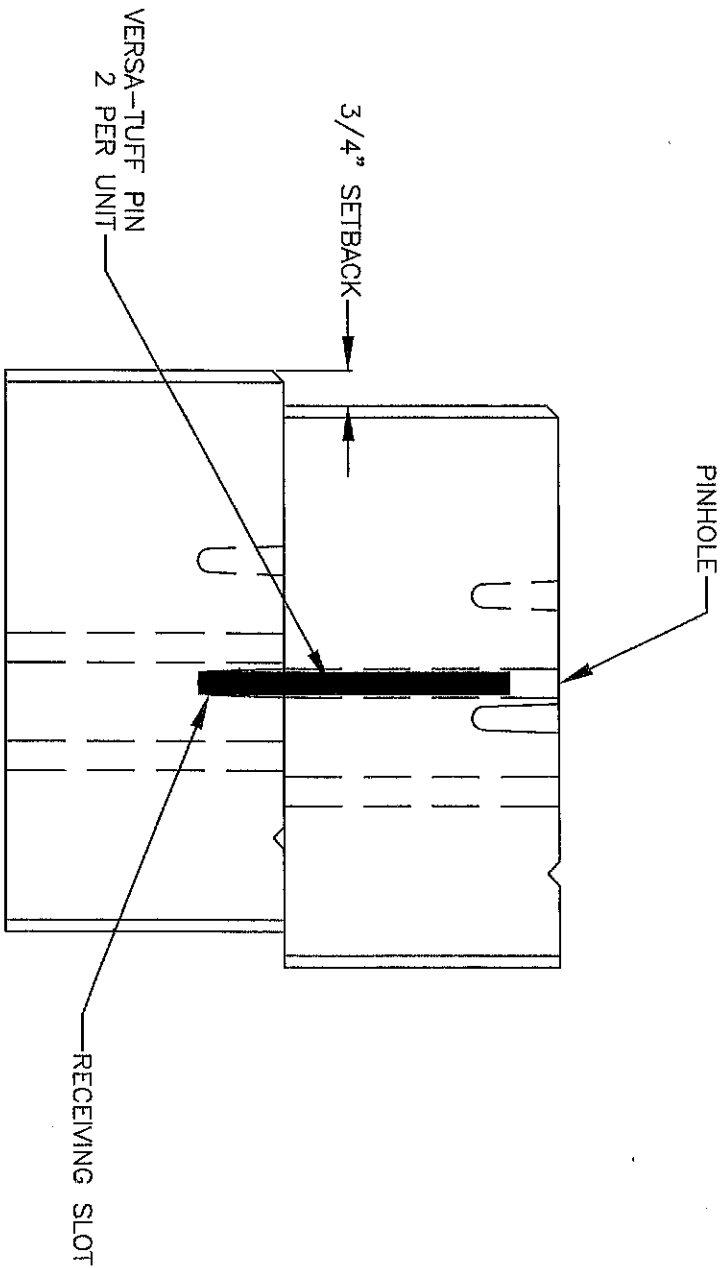
VERSA-LOK®
Retaining Wall Systems
Solid Solutions,™

(800)770-4825 fax(651)770-4098
6348 Hwy 56 Skt 1, Dundas, MN 55128

VERSA-LOK STANDARD DETAILS

STANDARD UNIT

SCALE	1 1/2"=1'
DRAWN BY	PRS
CHECKED BY	
DATE	10/2007
DWG. NO.	and standard unit



PINNING DETAIL
 CROSS SECTION
 SCALE: NONE

THESE PRELIMINARY DETAILS ARE INTENDED AS AN AID IN DESIGNING ATTRACTIVE, DURABLE RETAINING WALLS WITH VERSA-LOK UNITS. FINAL DETERMINATION OF THE SUITABILITY OF ANY INFORMATION OR MATERIAL FOR THE USE CONTEMPLATED AND ITS MANNER OF USE IS THE SOLE RESPONSIBILITY OF THE USER. A FINAL PROJECT SPECIFIC DESIGN SHOULD BE PREPARED BY A QUALIFIED, LICENSED, PROFESSIONAL ENGINEER.



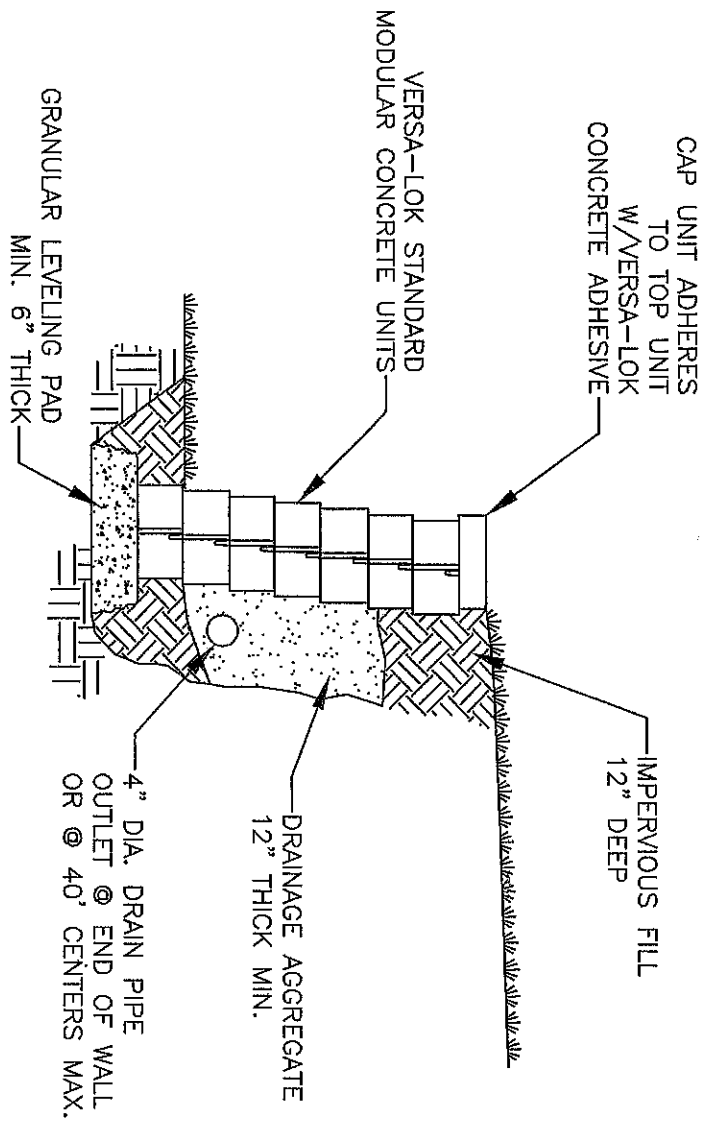
VERSAS-LOK[®]
 Retaining Wall Systems
 Solid Solutions,[™]

(800) 770-4825 for (651) 770-4089
 6346 Hwy 36 Ste 1, Oakdale, MN 55128

VERSAS-LOK STANDARD DETAILS

PINNING

SCALE	3'-1"
DRAWING NO.	PPS
DESIGNER	SP
DATE	10/2007
DWG. NO.	
Sheet Number	



TYPICAL SECTION - UNREINFORCED RETAINING WALL
 SCALE: NONE

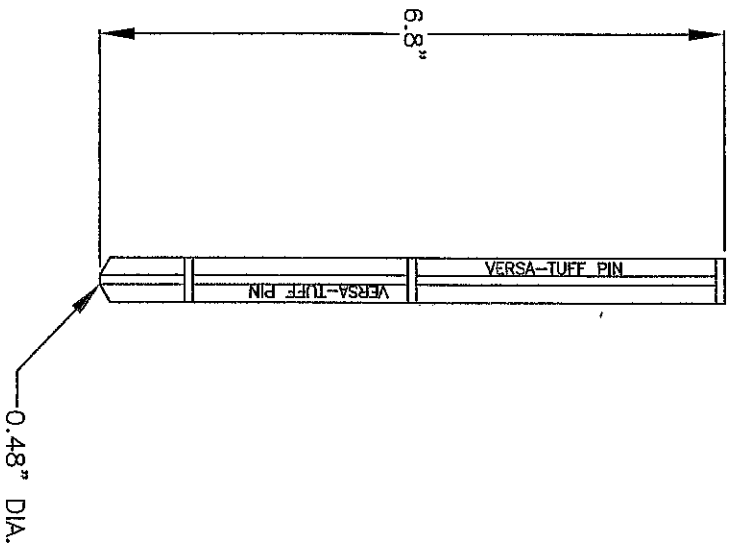
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VERSA-LOK[®]
 Retaining Wall Systems
 Solid Solutions.[™]
 (800) 770-4525 fax: (651) 770-4988
 6348 Hwy 56 Ste 1, Oakdale, MN 55128

VERSA-LOK STANDARD DETAILS
UNREINFORCED SECTION

SCALE	1/2"=1'
DRAWN BY	FRS
CHECKED BY	
DATE	10/2007
DWG. NO.	
TITLE	Unreinforced section



VERSA-TUFF PIN
 PIN DIMENSIONS
 SCALE: NONE

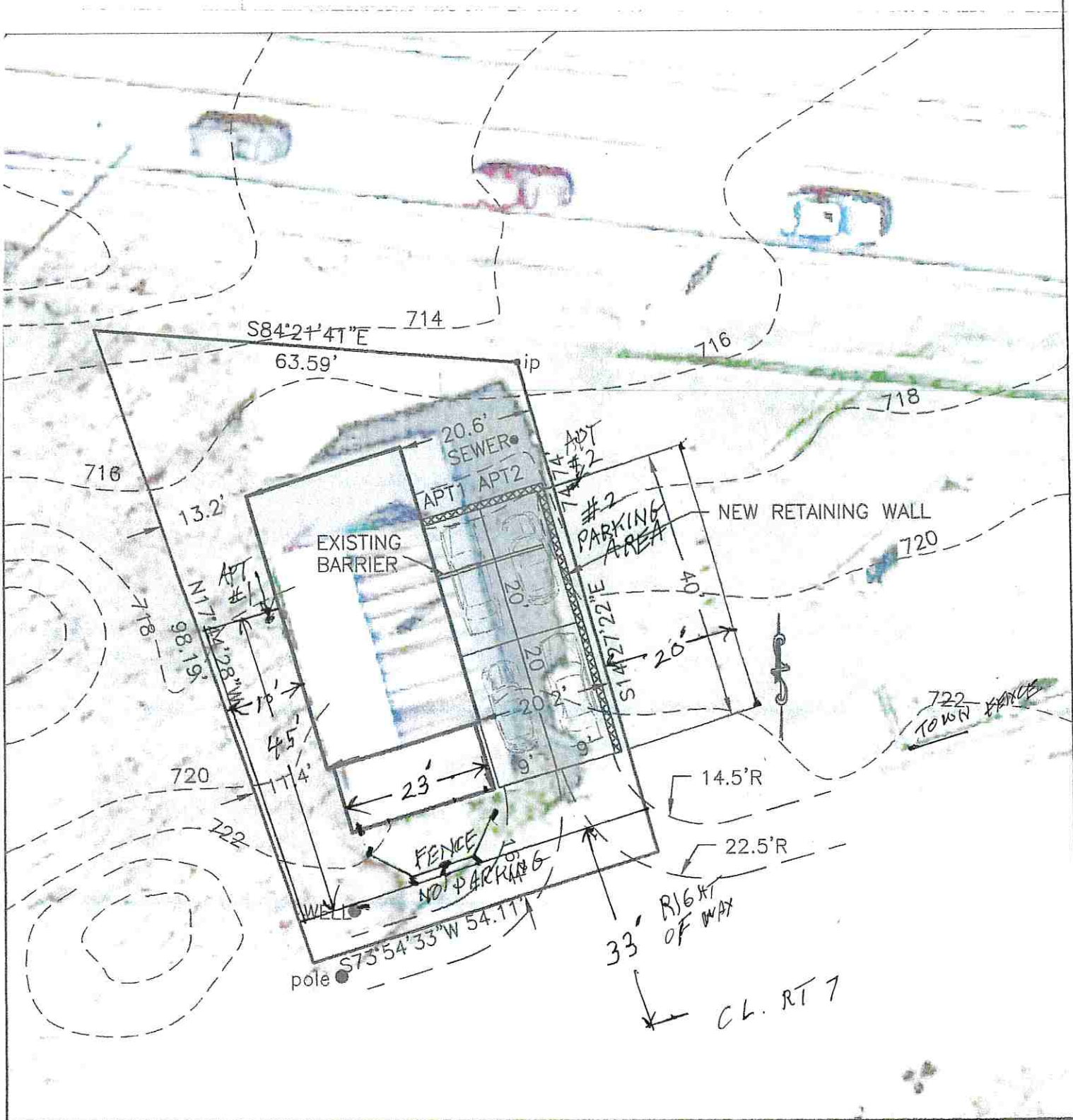
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(800)770-4525 Fax:(651)770-4099
 6348 Hwy 26 Ste 1, Oakdale, MN 55128

VERSA-LOK STANDARD DETAILS	
PIN	
SCALE	6"=1'
DESIGNED BY	PRS
CHECKED BY	
DATE	10/2007
DWG. NO.	
REV. NO.	



SCALE: 1"=20'

DATE: FEB 8, 2024

TOM SAMUELSON
6928 DUANESBURG ROAD
DUANESBURG NY

DRAWN BY: L. MANUS

REVISED

2 FAMILY PARKING

L M Associates

Consulting Engineering
P.O. Box 111 Duaneburg, N.Y. 12056
(518) 875-6765

DRAWING NUMBER

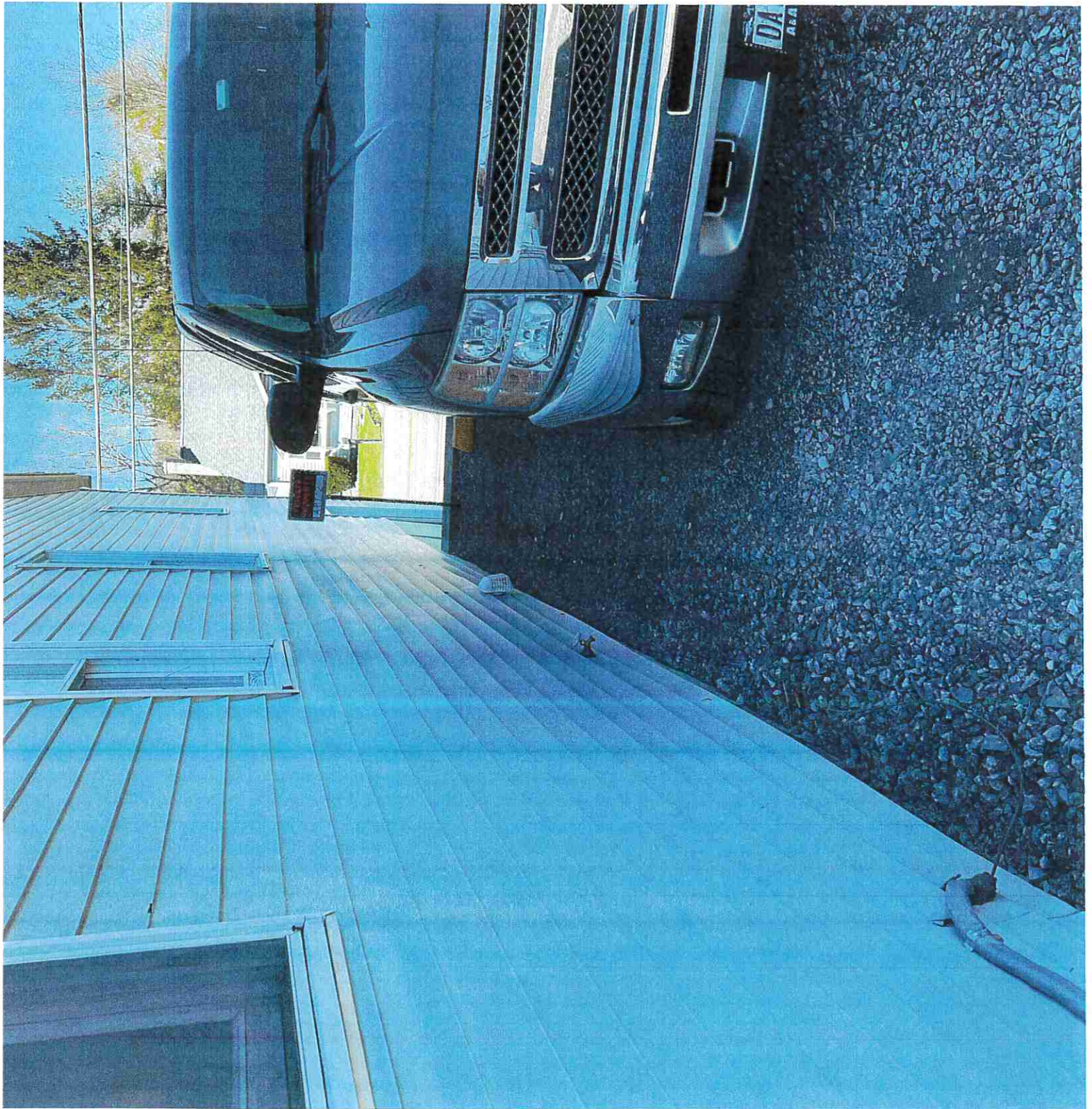
A1



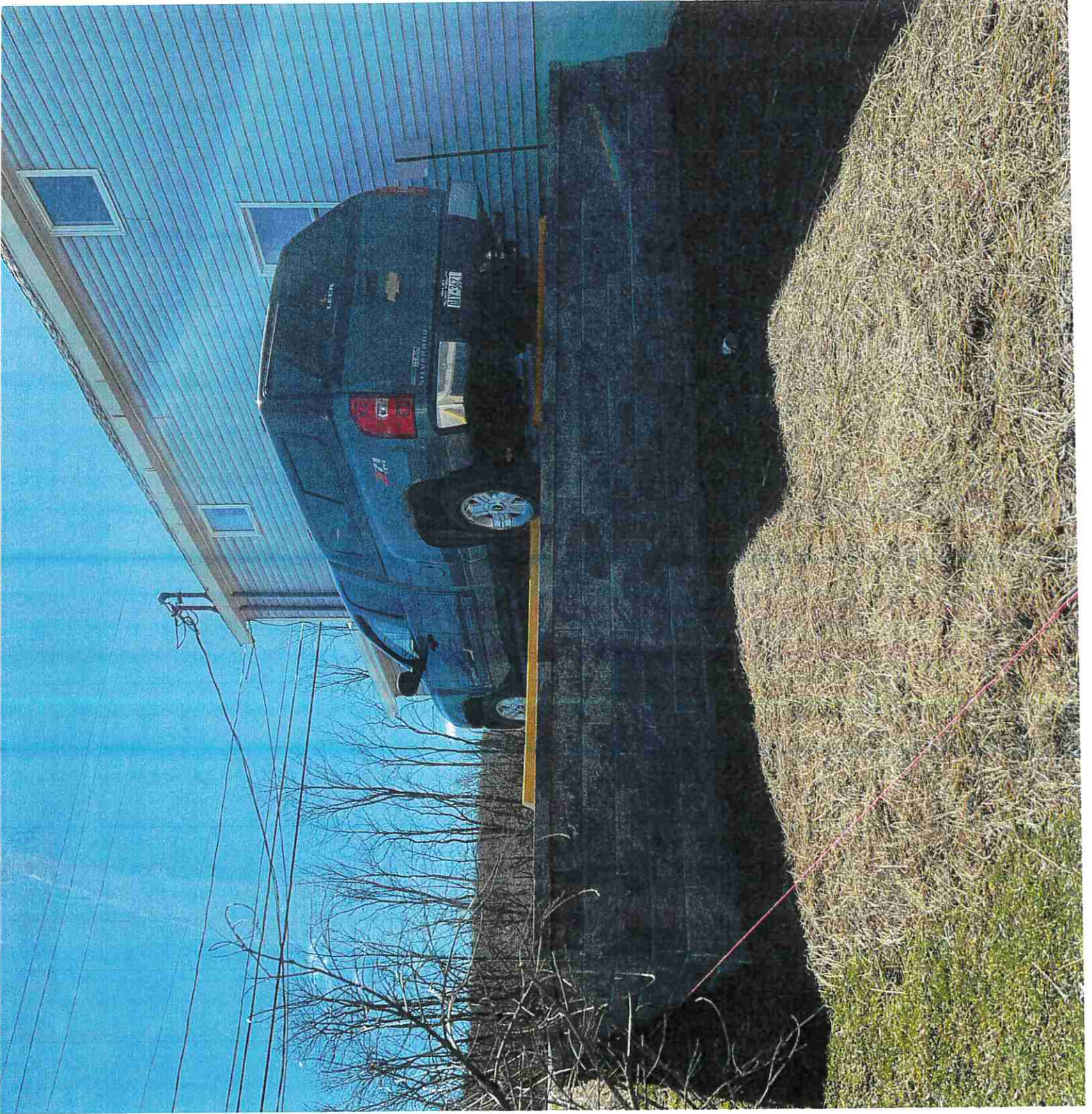


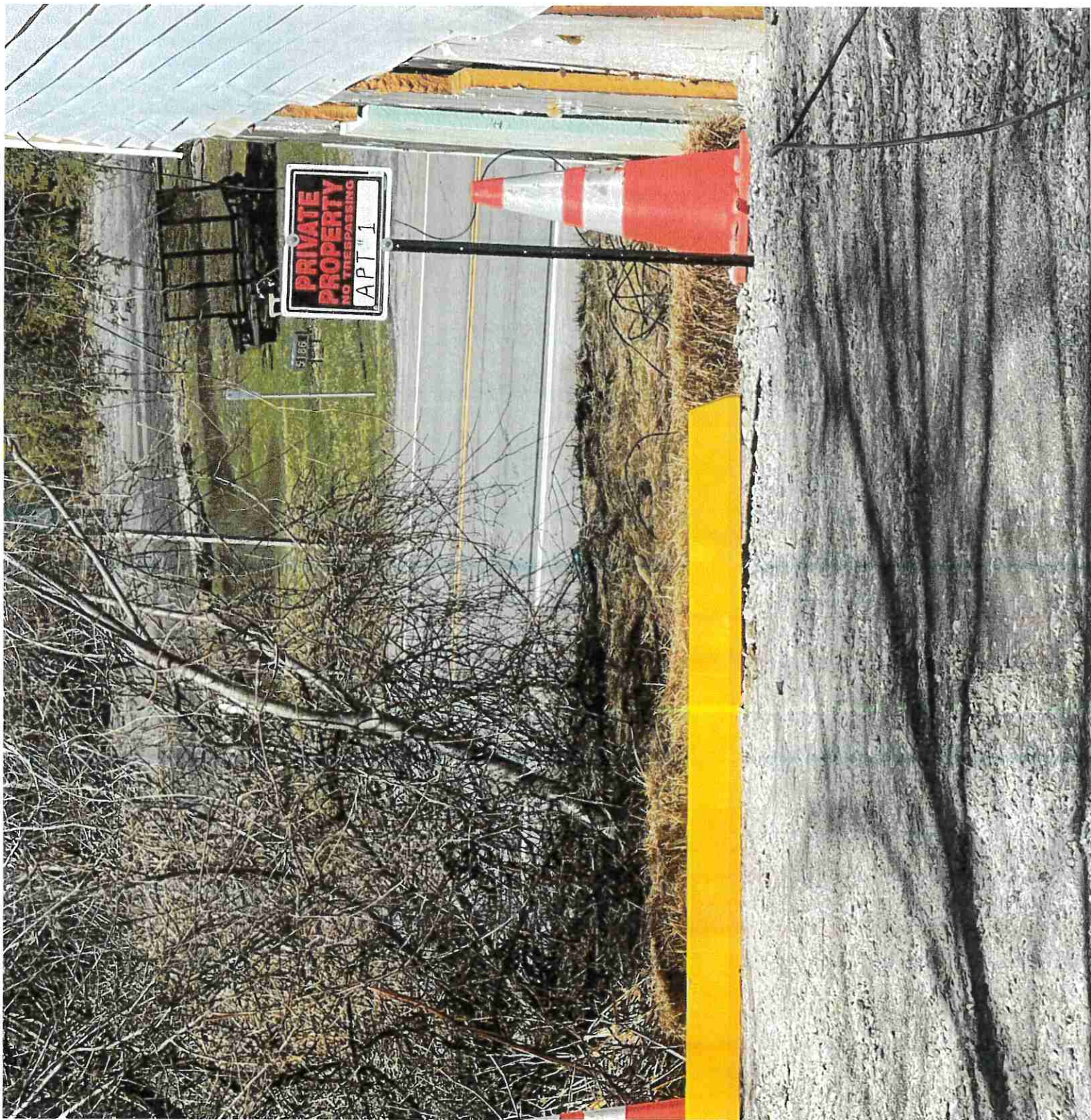




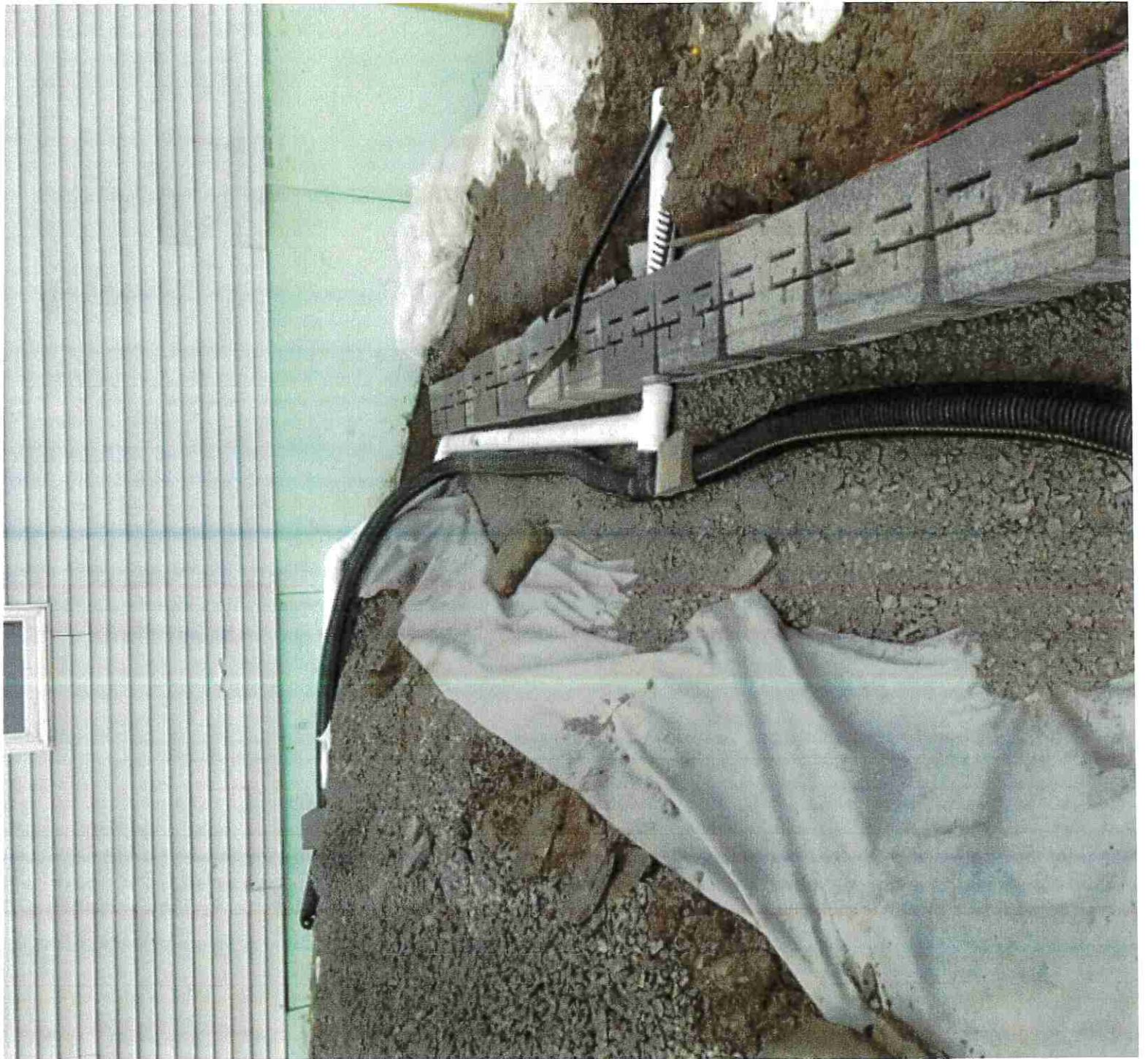


















For Sale
US CAPITAL REALTY, LLC
Shaun Ryba
Real Estate Broker
(518) 368-0068
sh@shryba.com

APPLICATION FOR THE PLANNING BOARD Revised 04/12/2017
 TOWN OF DUANESBURG
 *****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
 - Tax Map ID #
 - Zoning district
 - Current Original Deed
 - NYS Survey (L.S. & P.E.)
 - North Arrow, scale (1"=100'),
 - Boundaries of the property plotted and labeled to scale.
 - School District/Fire District
 - Green area/ landscaping
 - Existing watercourses, wetlands, etc.
 - Contour Lines (increments of 10ft.)
 - Easements & Right of ways
 - Abutting Properties Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system: Soil investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (1≥ & <5)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/eafmapper/
 - Street pattern: Traffic study needed?
 - All property Mergers **REQUIRE** both owners Signatures on the Application
- Additional Requirements for Special Use Application:**
- New or existing building
 - Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage Parking, Handicap Spaces, & lighting plan

Date December 8, 2023

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
 Proposal: CTEC proposes to construct a 1.875 megawatt (MW) community solar energy generating facility on 8.91 acres of an 84.4-acre parcel. The project will utilize single-axis tracker modules with an equipment pad, perimeter fence and interconnection at State Rt 20.

Solar Energy Facilities Law Section Seven of Planning/Zoning Ordinance.

Present Owner: Martin and Donna Hebert (AS APPEARS ON DEED!!)
 Address: 10516 Western Turnpike, Delanson, NY Zip code: 12053
 Phone # (required) 518-424-3048

Applicants Name (if different): Mike Lewis, representing CTEC, LLC Phone# (required) 585-794-6756

Location of Property (if different from owners) _____
 Tax Map # 64.00-2-8 (Zoning District C-1 and R-2)

Martin Hebert *Donna M Hebert*
 Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____
 Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duanesburg to walk the property for the purposes of conducting a site review.

[Signature] Date 12-21-23
 Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: _____ Check# _____ (For office use only)
 Reviewed By: _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

 Planning Chairperson Date Code Enforcement Date

Planning Board input for changes to MarDon Community Solar project

Torpey, Sonja <SONJA.TORPEY@tetrattech.com>

Tue 3/19/2024 11:11 AM

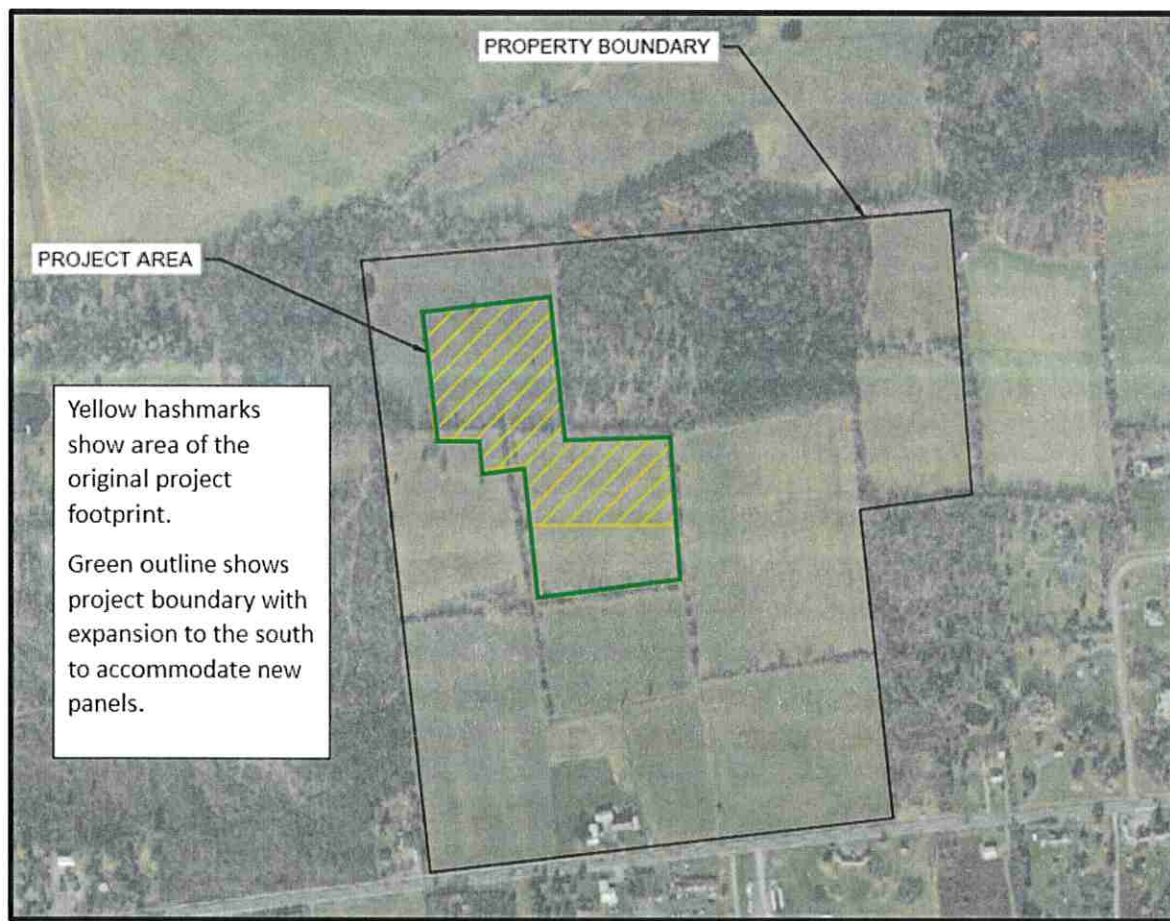
To:Chris Parslow <CParslow@duanesburg.net>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Chris,

You may recall that last November/December I submitted a special use permit and site plan application on behalf of CTEC Solar for a proposed 1.875 MW community solar project to be located at 10516 Western Turnpike. Duaneburg's town engineer (Prime AE) recently provided review comments for the application package, and we are working to address the comments with updates to the planning documents.

At the same time, CTEC has found that the solar modules they were originally going to use are now no longer available. They will be switching to either Heliene 580w or Hanwha 590w panels. The new panels require more spacing between the rows and so CTEC would like to reconfigure the footprint of the project area with a 2-3-acre expansion to the south on the east side of the project area. Below is a rough sketch with the revised project boundary shown in green:



Given this new project area, could you please check with the Planning Board to see if they would want updated studies for glare, sound, wetlands, and visual impact? Regarding the wetland delineation, please note that there are no jurisdictional wetlands mapped within the project area and based on aerial imagery, our field staff would be unlikely to find any wetlands in the southern expansion area.

Regards,

Sonja Torpey | Environmental Scientist / Project Manager

Mobile: 585.749.3949

sonja.torpey@tetrattech.com

Tetra Tech Inc. | CES Division | *Leading with Science*®

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PLEASE NOTE: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your system.

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
- Tax Map ID #
- Zoning district
- Current Original Deed
- NYS Survey (L.S. & P.E.)
- North Arrow, scale (1"=100')
- Boundaries of the property plotted and labeled to scale.
- School District/Fire District
- Green area/ landscaping
- Existing watercourses, wetlands, etc.
- Contour Lines (increments of 10ft.)
- Easements & Right of ways
- Abutting Properties Wells/ Sewer Systems within 100ft.
- Well/ Water system
- Septic system: Soil investigation completed?
- Sewer System: Which district?
- Basic SWPPP (12 & <5)
- Full Storm Water Control Plan (5acres or more)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/efmapperr/
- Street pattern: Traffic study needed?
- All property Mergers REQUIRE both owners Signatures on the Application

Additional Requirements for Special Use Application:

- New or existing building
- Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage
- Parking, Handicap Spaces, & Lighting plan

Date _____

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review Lot Lines Adjust
 Proposal: Amendment to the original subdivision mapping to create an additional lot

_____ Section _____ of _____ Ordinance.

Present Owner: Sal Fusco (AS APPEARS ON DEED!)
 Address: 756 Wells Road Zip code: 12137
 Phone # (required) 518-312-5390

Applicants Name (if different): _____ Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # 25.00-1-6.111 Zoning District AR

Salvatore Fusco _____

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Salvatore Fusco _____ Date 4/3/2024
 Signature of Owner (S) and/or Applicant (S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By: _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

 Planning Chairperson

 Date

 Code Enforcement

 Date

Short Environmental Assessment Form

Part 1 - Project Information

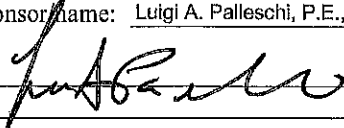
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Fusco 2-lot Subdivision Amendment			
Project Location (describe, and attach a location map): 756 Wells Road, Pattersonville, NY 12137			
Brief Description of Proposed Action: Amendment to previous 5-lot subdivision and to subdivide former Lot 2, 24.61± acre parcel into two (2) lots. Existing residential home and barn to remain with on-site septic and well on Lot 1 and existing structure to be converted to a single family home with new well and septic on-site on new Lot 2. Small barns to be removed as noted on the plans.			
Name of Applicant or Sponsor: Sal Fusco		Telephone:	
		E-Mail:	
Address: 756 Wells Road			
City/PO: Pattersonville		State: NY	Zip Code: 12137
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Duanesburg Planning Board, Schenectady County Department of Health			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		24.61± acres	
b. Total acreage to be physically disturbed?		0.2± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		24.61± acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Private Well _____			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Private Septic System _____			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP</u> Date: <u>April 4, 2024</u>		
Signature: <u></u> Title: <u>Professional Engineer</u>		

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, MEFI, Esri Canada, Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No