
Stormwater Pollution Prevention Plan (SWPPP)

New York State DEC SPDES
General Permit 0-20-001

5,000 kW Solar Energy
Generating Facility

For Construction Activities at:

Address: 2621 Route 5S
Town of Glen
County of Montgomery, New York

SWPPP Prepared by:

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Technology Drive, Suite 102
Lowell, MA 01851
Dated: June 2021

Estimated Project Dates:

Project Start Date:	SPRING 2022
Project Completion Date:	FALL 2022
SPDES Permit No:	TBD

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1.0 INTRODUCTION

In 1972, Congress passed the Federal Water Pollution Control Act (FWPCA), also known as the Clean Water Act (CWA), to restore and maintain the quality of the nation's waterways. The ultimate goal was to ensure that rivers and streams were fishable, swimmable, and drinkable. In 1987, the Water Quality Act (WQA) added provisions to the CWA that allowed the United States Environmental Protection Agency (EPA) to govern stormwater discharges from construction sites. In 1998, EPA published the final notice for General Permits for Stormwater Discharges from Construction Activities Disturbing 5 Acres or Greater (63 Federal Register 7898, February 14, 1998). The general permit includes provisions for development of a SWPPP to maximize the potential benefits of pollution prevention and sediment and erosion control measures at construction sites.

Development, implementation, and maintenance of the SWPPP will provide the General Contractor with the framework for reducing soil erosion and minimizing pollutants in stormwater during site work construction of Covered Bridge of East Greenbush.

The SWPPP will:

- Define the characteristics of the site and the type of construction which will occur;
- Describe the site plan for the development to be constructed;
- Describe the practices that will be implemented to control erosion and the release of pollutants in stormwater;
- Create an implementation schedule to ensure that the practices described in this SWPPP are implemented and to evaluate the plan's effectiveness in reducing erosion, sediment, and pollutant levels in stormwater discharged from the site; and
- Describe the final stabilization/termination design to minimize erosion and prevent stormwater impacts after construction is complete.

This SWPPP includes the following:

- Identification of the SWPPP coordinator with a description of this person's duties;
- Description of the existing site conditions include existing land use for the site (i.e., wooded areas, open grassed areas, pavement, buildings, etc.), and if applicable the location of surface waters which are located on or immediately adjacent to the site (wetlands, streams, rivers, lakes, ponds, etc.);
- Identification of the water bodies which will receive runoff from the construction site, including the ultimate body of water that receives the stormwater;
- Identification of drainage areas and potential stormwater contaminants;
- Description of stormwater management controls and various Best Management Practices (BMP) necessary to reduce erosion, sediment and pollutants in stormwater discharge;
- Description of the facility monitoring plan and how controls will be coordinated with construction activities;
- Description of the implementation schedule and provisions for amendment of the plan.

This Storm Water Pollution Prevention Plan (SWPPP) is intended to identify measures for control of storm water runoff and for minimizing impacts resulting from onsite construction activities on a 47.6± acre site located on the south side of NYS Route 5S, Town of Glen, County of Montgomery, New York (see Figure 1 - Site Location Map). The project includes the construction of a ground mounted 5,000.00 kW solar photovoltaic energy generating facility on approximately 20.2± acres of the overall 47.6± acres. Solar

modules will be supported on racks in accordance with manufacturer's recommendations that require very little earth disturbance to install. The site does not include any significant new impervious areas aside from two (2) concrete equipment pads with an area of approximately 500 square feet each and the access road (1.06± acres) that will be constructed of #3 clean washed stone and woven geotextile fabric to create a pervious system which facilitates infiltration. This SWPPP establishes the project's approach to controlling "the pollution of storm water runoff during construction" and lists structural and non-structural Best Management Practices (BMPs) that may be employed throughout various project phases. There are no known storm water discharges associated with industrial activity other than construction.

This SWPPP has been prepared, based on the current level of design, in accordance with the regulations, guidelines, and conditions set forth by the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). The permit and associated conditions are included in Appendix B.

2.0 PROJECT OPERATOR

2.1 Contact Information/Responsible Parties

In accordance with Part II and Appendix A of the General Permit (GP), the project owner and contractor are both considered Operators. The following section discusses specific Operator responsibilities in terms of the SWPPP implementation.

Operator:

Borrego Solar Systems, Inc.
30 Century Hill Drive, Suite 301
Latham, NY 12110
Attention:
Mobile:
E-mail:

Borrego Project Manager:

TBD
30 Century Hill Drive, Suite 301
Latham, NY 12110
Mobile: TBD
E-mail: TBD Fax:

2.2 Project Coordinator and Duties:

The project general contractor ("Contractor") is Borrego Solar Systems, Inc. All the same contacts as mentioned in Section 2.1 above apply.

The Operators have operational control over day-to-day activities at the site that are necessary to ensure compliance with the SWPPP, including BMP installation and SWPPP modifications. The Operator is responsible for providing a qualified inspector and performing inspections. The Contractor shall provide a "Qualified Inspector" to conduct inspections required by the GP. "Qualified Inspector" is defined as a person knowledgeable in the principles and practice of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other Department endorsed individual(s). It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, if person has training in the principles and practices of erosion and sediment control.

For this project, the Operators will be responsible for any enforcement action taken or imposed by federal, state, or local agencies, including the cost of fines, construction delays, and remedial actions resulting from their failure to comply with the General Permit provisions. The Operators may subcontract certain portions of the proposed work; however, as an Operator, they are responsible for ensuring that subcontracted work

occurs in compliance with this SWPPP and the GP.

The Operators are responsible for ensuring compliance with the GP by implementing the erosion prevention and sediment control practices outlined in this SWPPP. However, the Operator may elect to vary the erosion and sediment control practices from those outlined in this SWPPP and/or may choose to implement alternative measures. Alternative erosion and sediment control practices not described in the SWPPP must be performed in compliance with the GP and the Operator must modify this SWPPP accordingly. SWPPP modifications must be documented using the "SWPPP Amendment Form" found in Appendix I. Alternative practices that can be anticipated can be found in Appendix O.

2.3 Project Subcontractors:

Project subcontractors have not been determined at this time.

Each subcontractor engaged in activities that may generate pollution and could potentially impact stormwater runoff must sign a certification statement prior to commencing any earth disturbing activities. The subcontractor's certifications (once completed) will be in Appendix G. Please refer to Appendix G for a blank certification statement. Lumberjacks, concrete vendors, site contractors, waste disposal companies, electricians are considered subcontractors that may generate pollution.

2.4 Notice of Intent Filing

All Operators must file a Notice of Intent (NOI) to obtain coverage under GP-0-20-001 prior to the start of construction. The Operator must provide a copy of the New York State Department of Environmental Conservation (DEC) Acknowledgement of NOI notification (Letter of Acknowledgment) in Appendix C of this SWPPP as soon as it becomes available.

The NOI, Letter of Acknowledgment and Construction Site Notice (see Appendix F) must be posted at the site entrance.

2.5 Stormwater Team

The stormwater team will be responsible for the preparation of the SWPPP, later modifications to it, and for compliance with the GP. Each member of the stormwater team must have access to an electronic (or paper) copy of GP-0-20-001, and the most recent (updated) copy of the SWPPP.

Party Responsible for preparation of SWPPP and Erosion Control Plans:

Borrego Solar
55 Technology Drive, Suite 102, Lowell, MA 01851
Attention:
Mobile:
Fax:
E-mail:

Following the submission of the complete NOI under the terms of the GP, the permit begins, and a permit number will be assigned by DEC within 5 business days after submission, unless notified otherwise by the DEC. Authorization to discharge under the GP will be effective when the Owner/Operator has satisfied criteria outlined in Part II.B.2 of the GP.

The NOI must be certified by a qualifying official meeting the definition provided in the NOI instructions

and per GP-0-20-001. Each Operator must provide a copy of the DEC Acknowledgement of NOI notification (Notice of Coverage [NOC]) in Appendix C of this SWPPP as soon as it is available.

2.6 Posting Requirements

A copy of the NOI's, NOC's and a Construction Site Notice must be posted in a conspicuous location near the main entrance of the construction site. The Construction Site Notice must include the SPDES Permit Number and contact phone number for obtaining permit information. The Notice must be large enough and made visible from a public road that is nearest to the construction site.

3.0 SITE EVALUATION, ASSESSMENT, AND PLANNING

3.1 Project Site Information

Project Name: 5,000.00 kW Solar Energy Generating Facility
Location: 2621 State Route 5S, Fultonville, New York 12072
County: Montgomery County
Latitude: 42°55'44.89"
Longitude: -74°18'46.34" Source: Google Earth
Horizontal Reference Datum: New York State Plane Coordinate System – Eastern Zone

The project site is located on the south side of NYS Route 5S, between Auriesville Road (county Rt. 122) and Noeltner Rd (County Rt. 164) in the Town of Glen, County of Montgomery, New York. The site is primarily of undeveloped grassland on the western portion and woodland along the eastern portion. There are no structures within the site to be removed prior to construction of the solar facility. The tax lot consists of a flag lot and a narrow strip of land that significantly widens approximately 0.25 mile south of Route 5S. The Site contains of a single-family residential building and accessory structure at the northern portions, followed by an access road leading to fallow, mowed agricultural fields. Several areas of undeveloped woodlands are present on the periphery of the property as well as within some interior portions. A perennial stream is present at the northeastern portions of the property. There (is an existing access drive for the parcel located at NYS 5S. The parcel is bounded by residential dwelling, undeveloped agricultural lands to the east, west and south and State Route 5S to the north. Refer to Figure 1 – *Site Locus Map* and Figure 2 – *Site Aerial Boundary Map*.

3.2 Discharge to Receiving Waters Information

There is one (1) Points of Analysis (POA) or discharge points for this site (See Appendix A). POA-1 is located at northeastern portion of the parcel at the intersection of the Ravine Creek and NYS Route 5S culvert crossing. At this point the flow enters roadside drainage maintained by the NYS Thruway Authority, prior to entering the Mohawk River Channel.

The proposed project consists of a photovoltaic solar array installation that will produce up to 5,000.00-kilowatt (kW) of Direct Current (DC) electricity each. The system (fenced area) will occupy approximately 19.17± acres. The solar panels will be installed on a screwed auger racking foundation and the only impervious surfaces to be constructed will be electrical equipment concrete pads.

The proposed project will consist of the following key components:

- Solar modules
- Power inverter enclosures
- Power transformers

- Underground electrical conduits
- Operations and Maintenance (O&M)
- Building supervisory control and data acquisition (SCADA) system
- Overhead interconnection electrical line
- Access and maintenance roads

Ground-mounted solar energy facilities of this type minimize the need for grading (earth disturbance) of the site. The earth disturbance for this project will include minor grading associated with 9.72± acres of (i.e.; tree stumping; brush clearing; rock walls; any items removed from the surface), in addition to 1.06± acres of clean stone access. Additional earth disturbance will occur during the screw installation, trenching for electrical conduits, and shallow excavation for concrete electrical equipment pads. Remaining areas of the site will not require any disturbance.

3.3 Construction Sequencing

Soil disturbing activities associated with the site development will be phased according to the construction schedule. The sequence of major activities is shown on Erosion and Sedimentation Control Plans found in Appendix A and is expected to be as follows:

Phase I:

- Install temporary and permanent erosion control measures around perimeter of site.
- Install construction entrance/exit connecting to existing asphalt driveway.
- Layout construction laydown area.
- Place construction trailers (if any) and portable toilets.

Phase II:

- Construct gravel access roads and swales (if any).
- Remove existing trees and vegetation.
- Excavate electrical trenches. Excess material shall be disposed of properly.
- Install solar module racking.
- Construct concrete washout.
- Excavate and pour concrete electrical equipment pads.
- Install electrical equipment.
- Install perimeter security fence.

Phase III:

- Hydroseed disturbed areas once work in smaller areas are completed.
- Remove erosion control measures once proper stabilization (>80%) is achieved.

3.4 Soil Types

Soil information for the site was obtained from the Natural Resources Conservation Service Web Soil Survey for Montgomery County at <http://websoilsurvey.sc.egov.usda.gov>. Refer to Appendix L for information regarding onsite soils.

3.5 Stormwater Runoff Characteristics and Management

Runoff rates based on post-construction site conditions have been calculated for a 1-year, 10- year and 100-year storm event, and are shown below. The site contains primarily Hydrological Soil Group A well-

drained soils, Soils Group B moderately-drained soils and Soil Group D poorly-drained soils. The post-construction site conditions will yield very little change in impervious surfaces resulting from the construction of the solar farm. The two (2) equipment pad areas (500 sq. ft. each), and the cleaned stone access road are the only elements that will result in any change in runoff characteristics. The calculated weighted SCS Runoff Curve Number (CN) is 45 for the pre-development site and the resulting post-development weighted CN is 45, based on the underlying soils types and post-construction cover.

Though the mean CN value remained unchanged, the CN values for the POA-1 did not change the total runoff flow rate due to changes the runoff areas and soil characteristics within the POA-1. As shown in the HydroCad calculations the CN values for areas have changed accordingly based on the removal of trees and adding a gravel access drive. Within the drainage areas, the total HSG A is 59%, the HSG B is 26% and the HSG is 15%, thereby maintaining the post-development mean CN at 45. (See chart below for further clarification.) With the runoff discharge for post-development being equal to the pre-development discharge flows no further analysis is needed for water quantity controls.

<u>Pre-Development</u>			<u>Post-Development</u>		
Area (ac)	CN	Description	Area (ac)	CN	Description
0.418	55	Grass roads, HSG A	0.812	76	Gravel roads, HSG A
0.012	91	Gravel roads, HSG D	0.018	85	Gravel roads, HSG B
7.452	30	Meadow, non-grazed, HSG A	0.167	91	Gravel roads, HSG D
8.710	58	Meadow, non-grazed, HSG B	0.002	96	Gravel surface, HSG A
4.590	78	Meadow, non-grazed, HSG D	0.062	96	Gravel surface, HSG B
22.222	30	Woods, Good, HSG A	10.349	30	Meadow, non-grazed, HSG A
4.962	55	Woods, Good, HSG B	11.073	58	Meadow, non-grazed, HSG B
3.182	77	Woods, Good, HSG D	7.359	78	Meadow, non-grazed, HSG D
51.54	45	Weighted Average	18.928	30	Woods, Good, HSG A
			2.519	55	Woods, Good, HSG B
			<u>0.258</u>	<u>77</u>	<u>Woods, Good, HSG D</u>
			51.54	45	Weighted Average

Water Quality Management for Water Quality Volumes (WQv) and Runoff Reduction Volumes (RRv) Volumes will be provided with a combination of grass swales, level spreaders and sheet flow to buffers/filter strips. Based on design data for the RRv, there are only the equipment pads and access drives to be considered as impervious surfaces by definition. Calculated volumes have been established based on the Green Infrastructure Worksheet V1.8, accordingly the total WQv required is 0.29 acre-feet (12,822 cubic-feet) and the total RRv required is 0.07 acre-feet (1,673 cubic-feet). The equipment pads are constructed with a pervious permitter stone diaphragm for collection of the impervious surfaces.

Utilizing the rules for Riparian Buffer to provided the necessary water quality management and treatment, the total WQv and RRv provided is equal to, or greater than the required 0.29 acre-feet (12,822 cubic-feet) and the required is 0.07 acre-feet (1,673 cubic-feet), respectively. Therefore, based on design data the WQv and RRv provided meets the criteria for no further water quality management practices to be implemented.

In conclusion, based on drainage patterns and peak flows compared relatively to pre-developed and post-developed conditions, it is believed that the improvements being proposed will not affect present or future downstream conditions relative to flow or sedimentation.

3.6 Slopes

The site topography ranges in elevation from 417+/- feet National Geodetic Vertical Datum (NGVD) at the highest points to elevation 300+/- feet at the low points within the developed site. No significant grading of the site is required to accommodate the system construction.

3.7 Drainage Patterns

The existing topography of the project area is generally sloping in various directions toward the Ravine Creek and NYS Route 5S in a northeast direction. The drainage patterns will be maintained after development of the site.

3.8 Site Features and Sensitive Areas to be Protected

There are Federal and NYSDEC designated wetland areas located within the site, See Appendix M for specific information. Erosion and sediment control Best Management Practices (BMPs) will be implemented on site to protect the wetland resources associated with these sensitive areas.

3.9 Potential Pollution Sources

The materials or substances listed below are expected to be present onsite during construction activities. They represent potential pollutants, other than sediment, to storm water runoff:

- Detergents
- Cement
- Concrete and associated waste/products/additives
- Paints/solvents
- Paper products
- Petroleum products
- Rubber/plastic products
- Sanitary wastes
- Solid Construction waste

3.10 Allowable Non-Stormwater Discharges

- Discharges from emergency fire-fighting activities
- Fire Hydrant Flushing
- Landscape Irrigation
- Water used to wash vehicles
- Water used to control dust
- Potable water including uncontaminated water line flushing
- Routine external building wash down (solar modules)
- Pavement wash waters
- Uncontaminated non-turbid discharges of ground water or spring water
- Foundation or footing drains
- Construction dewatering water

These types of discharges will be allowed under the condition that no pollutants will be allowed to come in contact with the water prior to or after its discharge. The control measures which have been outlined previously in this SWPPP will be strictly followed to ensure that no contamination of these non-storm water discharges takes place or that these discharges do not result in a discharge of pollutants to waters of the US.

3.11 Site Maps

Site Maps are located in Appendix A of this report. The Operator must update these plans in accordance (but not limited to) the following:

- Locations where earth-disturbing activities will occur, noting changes in phases
- Approximate slopes before and after major grading activities. Note sloped areas greater than 15%.
- Show locations where sediment, soils or other construction materials, demolitions debris will be stockpiled.
- Locations of any crossing of surface waters.
- Designated points on the site where vehicles will exit onto paved roads.
- Locations of structures and impervious surfaces upon completion of construction.
- Locations of construction support activity areas covered by this permit.
- Locations of all surface waters, wetlands on or in the immediate vicinity of the Site.
- The boundary of any natural buffers; some work will occur inside of 50-foot buffer.
- Areas of federally listed critical habitat for endangered or threatened species.
- Topography of the site, existing vegetative cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of stormwater and authorized non-stormwater flow onto, over, and from the site property before and after major grading activities.
- Stormwater and allowable non-stormwater discharge locations, including:
 - Locations of any inlets to municipal separate storm sewer systems (MS4s)
 - Locations where stormwater or allowable non-stormwater will be discharged to surface waters on or near the site.
 - Locations of all potential pollutant-generating activities
 - Locations of stormwater control measures
 - Locations where polymers, flocculants, or other treatment chemicals will be used and stored.

3.12 Erosion and Sedimentation Control Plans.

The Erosion Control Plans show the direction of storm water flow and approximate slopes before and after grading activities, areas of soil disturbance and areas that will not be disturbed, natural features to be preserved, locations of non-structural BMPs identified in the SWPPP and locations where storm water discharges to a surface water (where applicable.)

3.13 Progress Site Maps.

GP-0-20-001 requires that as conditions change at the construction site (such as the location of BMPs) the Contractor must update the SWPPP to reflect such changes. Progress Maps (11 x 17) are provided in Appendix A. In addition to tracking the changes associated with the BMPs, the Contractor will indicate and track the location of the following:

- Portable toilets
- Material storage areas
- Concrete washout areas
- Refueling areas
- Off-site material, waste, borrow, or equipment storage areas
- Dumpster or other trash and debris containers
- Spill kits
- Stockpiles
- Any other non-structural non-storm water management BMPs
- Any changes to structural BMPs

- Areas where final stabilization has been accomplished

If the Progress Maps become too full to easily read, it should be dated, folded, and put into the SWPPP in Appendix F for documentation and a new Progress Map should be started.

4.0 DOCUMENTATION OF COMPLIANCE WITH OTHER FEDERAL REQUIREMENTS

4.1. Wetlands

An on-site wetland delineation was performed by Shumaker Consulting and Engineering & Land Surveying, D.P.C. on October 15, 2020. The Wetland Delineation report dated October 27, 2020 is included in Appendix M and identifies wetlands delineated within the site. In summary Four PEM wetlands, three PFO wetlands, one stream and three ponds were identified.

In summary, based upon a review of the ERM, no state-regulated wetlands were identified within or proximate to the site. In addition, NWI mapping also revealed no potential federally protected wetlands on the site. One 876-182 class C mapped stream was listed by the ERM mapper.

Stream 1 is a perennial stream that originates off-site east of the property and flows approximately 667 linear feet on-site, exiting the project limits at the northeastern portions where it continues to flow north. The stream varies from 15-to-30 feet wide and three-to-24 inches deep along its length. Stream 1 is considered a Water of the United States (WOTUS) and is anticipated to be under the jurisdiction of the USACE as an (a)(8) water.

As the stream is classified as a Class C mapped streams, it is not currently subject to Article 15 of the New York State Environmental Conservation Law (ECL). This same stream continues north towards the Mohawk River, just to the east of the project boundary.

4.2 Endangered Species Protection

The project location contains no rare or state listed animals and plants in the vicinity of the site as provided by the New York National Heritage Program. This letter is included in Appendix J.

4.2. Historic Preservation

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) reviewed the project in accordance with the New York State Historic Preservation Act and provided a response, dated February 18, 2021, that the project is an archaeologically sensitive area and a Phase 1A/1B archeological survey is warranted. Please refer to the OPRHP letter included in Appendix N.

5.0 EROSION AND SEDIMENT CONTROLS

During construction, the Operator will comply with the measures provided in this SWPPP and conduct construction activities in such a manner that is in accordance with GP-0-20-001 conditions. It is the Operator's responsibility not to undertake more than that magnitude of work that can be safely and adequately controlled by the methods at their disposal. The Operator's approach must emphasize preventing erosion before it occurs as opposed to treating sediment- laden storm water runoff.

5.1. Natural Buffer or Equivalent Sediment Controls

The Erosion Control Plan represents the suggested best management practices proposed for the project. The Contractor's approach to controlling storm water runoff from the site may vary; however, they must

update this SWPPP to reflect the changes and appropriate corresponding erosion control measures using the Progress Maps and the SWPPP Amendment form (provided in Appendix I).

The use of erosion and sedimentation controls is mandatory and must be employed to minimize impacts to adjacent areas during the construction. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

The control practices which are required to control storm water pollution during construction must remain functional until disturbed areas have been stabilized. Erosion control products are to be installed and maintained in accordance with manufacturer's specifications and good engineering practices. During all phases, the Erosion and Sediment Control BMPs outlined in the following sections must be inspected based on the inspection frequency discussed in Section 7.0. In addition, stabilization measures must be instituted on disturbed areas as soon as practicable, but no more than 14 days after construction activity has temporarily or permanently ceased on any portion of the site.

5.2. Construction Phasing and Best Management Practices (BMPS)

Construction activities will be phased in order to minimize site disturbance, protect sensitive natural features, and prevent soil erosion and sediment transport (refer to Section 3.4 above). The intended construction sequence and timing of major activities is outlined below.

5.2.1. Phase I

During Phase I of the project the stabilized construction entrance will be installed, perimeter erosion control protection installed, and establishment of stockpile areas.

Stabilized Construction Exit: At the beginning of Phase I a stabilized construction exit must be installed at the location where vehicles are expected to enter and/or exit the site in order to prevent the off-site tracking of sediment onto adjacent public roadways. The stabilized construction entrances will consist of compacted two to three inch (2"-4" thickness) crushed stone, placed over a layer of geotextile fabric (to provide separation from the underlying soil and prevent the stone from being ground down into the soil). The stabilized construction entrance must be wide enough to cover the entire width of the entrance/exit and allow two vehicles to pass comfortably, and it should be flared where it meets the public roadway to accommodate longer construction vehicles. The stabilized construction entrance must be long enough to allow mud and sediment to become dislodged from vehicle tires, and/or a minimum of fifty (50') in length.

Over the course of construction, the stabilized construction entrance will become filled with accumulated sediment. The Contractor must inspect the stabilized construction entrance and adjacent public roadways for off-site sediment tracking and repair the entrance as necessary (remove accumulated sediment and add new stone as necessary). If tracking onto public roadways does occur, the streets in the vicinity of the stabilized construction entrance shall be swept immediately. The stabilized construction entrance shall not be removed until just prior to project completion.

Mulch Tube/Silt Fence: At the beginning of Phase I a combination of mulch tube and silt fence or just silt fence shall be installed to prevent sediment-laden runoff from leaving the site. In addition, silt fence will be used on the down gradient sides of material stockpile areas.

The mulch tubes consist of a tube of mulch placed along a contour if possible. The tubes intercept and slow sheet flow runoff. Mulch tubes shall be firmly staked. Accumulated sediment must be removed from the tubes when it reaches ½ of the height of the tube. Silt fence is a sediment control BMP consisting of a length of geotextile fabric stretched between anchoring posts spaced at regular intervals along the site at

low/down-slope areas. The geotextile fabric must be entrenched in the ground between the support posts. Silt fence is effective in treating low velocity sheet flow and is not intended for use in areas of concentrated or channelized flow. Silt fence must be inspected for rips, tears, and gaps between the fence and the ground. An adequate reserve of silt fence must be kept on site at all times for emergency and/or routine replacement. Silt fence shall be entirely removed **only** after exposed soils in the contributing drainage area are stabilized. Silt fence can also be used as an effective perimeter control to contain stockpiles of topsoil or other erodible material.

Stockpile Management: Stockpiles of erodible material, including any topsoil salvaged during construction, must be surrounded by a perimeter sediment control such as silt fence to prevent storm water runoff from being contaminated by eroded sediment. Stockpiles of erodible material must be stabilized utilizing a temporary stabilization technique if they remain inactive for more than fourteen (14) days. Stockpiles must be located at least 100 feet from wetland resource areas (i.e. bordering vegetated wetlands and Buffer zone). Stockpile locations must be tracked using the Site Maps included in Appendix A.

Dust Control: Dust control BMPs are various means and methods of preventing soil erosion by wind. During all phases of the project generation of dust must be minimized to prevent air and water pollution as well as minimize risks to human health. Earthmoving activities are the primary source of dust generation during construction, but traffic on un-stabilized access roads and sediment transport by wind blowing across exposed soil surfaces can also be contributing factors. The most effective dust control BMPs for preventing wind erosion involve stabilizing (temporary or permanent) exposed soils. However, where soil stabilization is not practical techniques that increase soil moisture and encourage the formation of soil clods or reduce wind velocity at the soil surface are also effective. The following dust control BMPs are typically used on construction sites:

- Watering/Irrigation: Sprinkling the ground surface with water until it is moist.
- Soil Stabilization: Vegetative cover, mulch, riprap or any method that covers the soil surface reduces the potential for soil particles to become airborne.
- Wind Breaks: Wind breaks are barriers (either natural or constructed) that reduce wind velocity across exposed soil surfaces and reduces the potential for soil particles become airborne. Wind breaks can be trees or shrubs left in place during site clearing or constructed barriers such as a wind fence.
- Soil Roughening: Deep tillage in large areas of exposed soil brings soil clods to the surface preventing soil particles from becoming airborne.

Temporary Sediment Basins/Traps: If temporary sediment basins/traps/swales are needed at the beginning of Phase 1, the temporary sediment basins must provide 3,600 cubic feet of storage per acre drained **and** disturbed. Temporary sediment basins are a sediment control BMP that consist of an excavated or natural depression that detains/retains storm water runoff allowing sediments to settle out of suspension prior to discharge via a suitably stabilized outlet. They also provide an opportunity for storm water infiltration. The temporary sediment basin's side-slopes and bottom must be appropriately stabilized prior to directing runoff to it. Accumulated sediment must be removed when it reaches 33% of the design volume capacity of the basin in order to maximize sediment settling potential and minimize the possibility of sediment washout during high intensity/long duration storm events. The basins will include a controlled outlet structure consisting of a perforated riser pipe packed in gravel which allow for further reduction of sediment prior to discharge. Traps will include a rip rap spillway.

Temporary Stabilization-All Phases: Stabilization measures must be initiated as soon as practicable on portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stabilization refers to a variety of erosion control BMPs that protect exposed soils from the erosive forces of precipitation (raindrop and sheet erosion) and/or prevent the formation of channelized flow (rill, gully and channel erosion). The Contractor must inspect temporarily stabilized areas to assess the effectiveness of temporary stabilization BMPs and replace/repair them as necessary. The following temporary stabilization BMPs are typically used on construction sites and may be used by the Contractor for this project:

Erosion Control Blankets: Erosion control blankets are erosion control BMPs consisting of natural or synthetic geotextile fabrics formed into long sheets or mats that are rolled out over exposed soils and fastened with stakes, pegs or staples. They are used in areas where high runoff velocity makes traditional mulching ineffective. Blankets are highly effective at stabilizing steep slopes (3:1 or greater) and can be used to stabilize areas of concentrated flow such as swales.

Soil Roughening: Soil roughening is an erosion control BMP that involves creating grooves or impressions in exposed soil surfaces with tracked construction equipment (bulldozer, excavator, etc.). Slopes that are not fine graded or smoothed but left in a roughened condition reduce erosion by decreasing slope length and runoff velocity, increasing infiltration, trapping sediment, and allowing seed to take hold and grow. It is critically important that the impressions be made perpendicular to the slope contours (never parallel to the contour); improper use of this technique can actually accelerate erosion. Soil roughening shall be used as a last resort.

Temporary Seeding: Temporary seeding is an erosion control BMP that consists of using select varieties of grasses to establish vegetative cover. Temporary seeding utilizes annual species that establish quickly, are not persistent or invasive, but provide long term temporary cover (as opposed to the perennial species used in permanent seeding for final stabilization).

5.2.2. Phase II

During Phase II of the project construction activities will commence and include trench and concrete equipment pad excavation and pile driving or screw installation for the solar module racking solution. All of the BMPs installed to date will continue to be used during Phase II until final stabilization is achieved. In addition, the following measures will be used during Phase II.

Temporary Diversion Ditches: Temporary diversion ditches are an option to divert runoff away from construction area. They should be constructed prior to any work in said construction area at the beginning of Phase II. Temporary drainage ditches are a runoff control BMP consisting of a ditch or excavation installed as a means of conveying storm water runoff to temporary sediment basins/traps (or other sediment control BMPs) while soil disturbing construction activities are ongoing. The temporary drainage ditch side-slopes and bottom must be appropriately stabilized prior to directing runoff to it. The temporary ditches will include stone check dams (see below).

Temporary drainage ditches may be constructed as needed at locations determined by the Operator. This is done to account for unanticipated on-site field conditions.

Concrete Washout Area: Concrete washout areas consist of a prefabricated or site-built impermeable containment area sized to hold concrete wastes and wash water (including one (1) foot freeboard). Concrete washouts are used to contain concrete and liquids when the chutes of concrete mixers and

hoppers of concrete pumps are rinsed out after delivery. The washout Facility consolidate solids for easier disposal and prevent runoff of liquids. The wash water is alkaline and contains high levels of chromium, which can leach into the ground and contaminate groundwater. It can also migrate to a storm drain, which can increase the pH of area waters and harm aquatic life. Solids that are improperly disposed of can clog storm drain pipes and cause flooding. The concrete washouts must be constructed prior to placement of concrete on-site. The concrete washout area must be located in an area where its likelihood of contributing to storm water discharges is negligible. Washouts shall be located outside of any wetland resource area and 100' from buffer zones to wetlands.

These specially designated areas should be properly signed, and onsite personnel instructed in their proper use. The hardened residue from the concrete wash out area will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used onsite as appropriate. It is the responsibility of the Contractor to ensure that these procedures are followed. The Contractor must track concrete washout locations on the Progress Map if they are moved or if additional concrete washouts need to be constructed.

5.2.3. Phase III

During Phase III of the project construction, electrical wiring activities will constitute the majority of the work on site. Hydroseeding of disturbed areas will be completed. All of the BMPs installed to date will continue to be used during Phase III.

All BMPS's implemented to date will continue to be used during Phase III until the site reaches permanent stabilization.

Permanent Stabilization: Permanent stabilization refers to a variety of erosion control BMPs that allow a construction project to achieve "final stabilization." Final stabilization is defined in Appendix A of GP-0-20-001 as: a uniform, perennial vegetative cover with a density of eighty percent (80%) over the entire pervious surface has been established, or other equivalent permanent stabilization measures have been employed.

The following permanent stabilization BMPs are typically used on construction sites:

- Permanent Seeding: Permanent seeding consists of using select varieties of grasses and/or other plants to establish vegetative cover. Permanent seeding utilizes perennial, persistent species that provide dense, long term vegetative cover.

6.0 POLLUTION PREVENTION STANDARDS

6.1 Material Handling and Waste Management

The following measures will be implemented to prevent the discharge of solid materials to waters of the U.S.:

- Manufacturer's recommendations for proper use and disposal will be followed.
- Contractor will perform inspections based on the frequency outlined in the GP to ensure the proper storage, use, and disposal of materials.
- Contractor will arrange for all sanitary waste to be collected from portable toilet units by a licensed sanitary waste management operator, or as required by local regulation. Pickups must be done on a regular basis. No burial or discharge of the sanitary waste may be conducted on-site.
- Contractor will be responsible for the off-site removal and disposal of all construction related

debris in accordance with state and federal law. No on-site waste disposal will occur. Where the use of dumpsters is proposed, the Contractor must determine and apply specific measures to keep waste within the dumpsters from being intermixed with storm water, including closing the dumpsters and installing drain plugs.

6.2 Construction Material Staging Areas

Construction materials expected to be stored on-site are listed in Section 3.8. Procedures for the storage of these materials to minimize exposure of the materials to storm water are as follows:

- All materials stored on-site must be stored in a neat, orderly manner in their appropriate containers. Materials that are hazardous or toxic such as paints, solvents, pesticides, fuels and oils should be stored under a roof or other enclosure if possible. Where cover is not available, all hazardous or toxic materials should be stored in a location with secondary containment.
- Materials will be kept in their original containers with the original manufacturer's label.
- Asphalt substances used on-site will be applied according to manufacturer's recommendations.
- Petroleum products will be stored in tightly sealed containers that are clearly labeled.
- The Contractor will inspect the staging areas based on the frequency outlined in the GP.

Above noted materials shall be located outside of any wetland resource areas including buffer zone areas.

6.3 Spill Prevention and Control Plan (SPCP)

The Contractor will be responsible for preventing spills in accordance with applicable federal, state, and local regulations and will identify an appropriately trained site employee involved with day-to-day site operations to be the spill prevention and cleanup coordinator. The name(s) of responsible spill personnel will be posted in the material storage area(s) and in the on-site office. Each employee will be instructed that spills are to be reported to the spill prevention and cleanup coordinator.

In addition to the good housekeeping and material management practices discussed in previous sections of this plan, the following practices will be followed for spill prevention and response.

6.4 Equipment/Vehicle Fueling and Maintenance Practices

The types of equipment typically used for this project will consist of track and rubber-tired diesel-powered vehicles (e.g., tracked hoes, front-end loaders, backhoes, graders, scrapers, bulldozers, and cranes), trucks, pumps, compressors, generators, and light vehicles. Equipment storage, cleaning, and maintenance areas are described and mapped on the site maps included in Appendix A. The following measures will be implemented:

- All equipment will be parked and/or operated within the approved and designated construction right-of-way or in staging areas.
- The contractor will monitor daily for leaking equipment. Equipment parked overnight will be inspected by the contractor and absorbent pads will be placed to catch all leaks, as necessary. If leaks are detected by the Environmental Inspector, the contractor will be notified and contaminated soil will be cleaned up immediately.
- Major equipment cleaning and maintenance will be conducted in the contractor's offsite construction yard(s), at commercial cleaning Facility, or at commercial repair shops.
- Refueling and servicing of vehicles or equipment, and minor maintenance such as oil changes and minor repairs for large equipment that cannot be easily moved, will be permitted on the

construction site or right-of-way only as necessary, and must be conducted at least 200 feet away from any drainage channel, wetland resource area and also outside of the 100-foot buffer zone.

- The maintenance location will be under cover and include secondary containment.
- Drip pans, drip cloths, or absorbent pads will be used when replacing spent fluids.
- Do NOT clean surfaces by hosing the areas down.
- Vehicle or equipment fueling, service, and maintenance will be conducted only by authorized trained personnel using approved pumps, hoses, and nozzles.
- Hoses, nozzles, connectors, and pumps used for fueling will be inspected regularly by trained personnel.
- Catch-pans or absorbent pads will be placed under vehicles or equipment to catch potential spills during refueling, servicing, or maintenance.
- Service trucks will be equipped with spill-containment equipment, and all spills will be cleaned up immediately.

If the construction site will have a total above-ground oil storage capacity of more than 1,320 gallons of oil (counting only tanks that equal or exceed 55 gallons) the site is subject to DEC's spill prevention, control and countermeasure (SPCC) rules and it is the Operator/Contractor's responsibility to prepare a Spill Prevention and Control Plan.

6.5 Washing of Equipment and Vehicles

Wheel washing will occur on site at construction exits. Construction exit(s) will be used to wash wheels of construction vehicles exiting the site on an as needed basis. Wheel wash water will be potable water from nearby municipal fire hydrant and wheel wash runoff will be directed to nearest catch basin. If wheel wash water proposed to discharge on site, Contractor shall construct a temporary sedimentation basin. Maintain in accordance with the GP.

6.6 Construction and Domestic Waste

Construction and domestic waste will be controlled through the implementation of construction dumpster(s) and trash receptacles in appropriate number and size to contain the waste. This will be done on a daily basis and cleaned up immediately if overflow occurs.

6.7 Sanitary Waste

Temporary portable toilets in sufficient number will be located on-site during each of the project phases. They will be secured so that they cannot be flipped or knocked over.

6.8 Washing of Applicators and Containers used for Paint, Concrete or other Materials

Hay bale and plastic concrete washout pits will be installed at the Project site. Hay bale and plastic concrete washout pits will be installed and ready for inspection a minimum of 72 hours prior to use.

Concrete washout pits shall be inspected daily and after heavy rains to check for leaks, identify damage to plastic linings and to determine whether the pits have been filled to within 75% of capacity. Prior to heavy rains the washout pit water level should be lowered (vacuuming) or the pit covered to avoid an overflow. Damage to plastic lining shall be repaired promptly. When the washout pit is filled to over 75% of its capacity, the wash water shall be vacuumed out or allowed to evaporate to avoid overflows. When the remaining cementitious solids have hardened, they shall be removed and recycled.

6.9 Spill Prevention and Response

Spill control/containment equipment will be kept locally in the area of construction. Materials and

equipment necessary for spill cleanup will be kept in the material storage area on-site. Equipment and materials will include but not be limited to absorbent booms or mats, brooms, dust pans, mops, rags, gloves, goggles, sand and plastic and metal trash containers specifically for this purpose. It is the responsibility of the Contractor to ensure the inventory will be readily accessible and maintained.

Workers will be directed to inform the on-site supervisor in the event of a spill or leak. The supervisor will assess the incident and initiate containment procedures. Workers should avoid direct contact with the spilled material during containment procedures. Notification of a spill will be to a certified cleanup operator if deemed necessary. Emergency contact phone numbers are provided in Appendix E. The specific cleanup operator to be used must be identified by the operator and listed on the Emergency Contact List in Appendix E.

The Operator/Contractor is prohibited from discharging toxic or hazardous substances from a spill or other release, consistent with Part I.B.1.e. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 or, in the Washington, DC metropolitan area, call (202) 267-2675 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as the Operator/Contractor has knowledge of the discharge. The Operator/Contractor must also, within 7 calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. State, tribal, or local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies. The Operator/Contractor must also, within 7 calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release. State, tribal, or local requirements may necessitate additional reporting of spills or discharges to local emergency response, public health, or drinking water supply agencies.

Spills will be contained with granular sorbent materials, sand, sorbent pads, booms, or all of the above to prevent spreading. Catch basins will be plugged and drainage channels should be protected from the spill. Manholes will not be entered unless personnel are trained in confined space entry and have the appropriate safety equipment and backup personnel. Spill clean-up should be completed by trained certified clean-up operators. Manufacturer's recommended methods for spill cleanup will be maintained and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.

6.10 Hazardous Materials Spill Report

A spill report must be prepared by the Contractor following each occurrence. The spill report must present a description of the release, including quantity and type of material, date of the release, circumstances leading to the release, location of spill, response actions and personnel, documentation of notifications, and corrective measures implemented to prevent recurrence.

The SPDES General Permit does not relieve the Contractor of the reporting requirements 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 relating to spills or other releases of oils or hazardous substances. Where a release containing hazardous substance in an amount equal to or in excess of a reporting quantity established under the federal regulations has occurred, the Contractor is required to comply with the requirement of the aforementioned regulations. Spills of oil or hazardous material (OHM) will be reported to the National Response Center, if the reportable quantity is exceeded. The Contractor must notify the

DEC in writing of a reportable release within 14 days of the occurrence. Contact numbers are provided in Appendix E.

7.0 INSPECTIONS AND CORRECTIVE ACTION

7.1 Inspections

The Contractor shall be responsible for providing Qualified Personnel to conduct all inspections required by the GP. A "Qualified Professional" is defined as a person 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. A "Qualified Inspector" is defined as a person that is knowledgeable in the principles and practices of erosion and sediment controls, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other Department endorsed individual. 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.

7.2 Inspection Schedule and Procedures

Inspections of all non-structural and structural best management practices proposed and implemented as part of the SWPPP must be conducted at least once every 7 calendar days, or in compliance with Part II.C and Part IV.C of the GP and the requirements of the New York State Standards and Specifications for Erosion and Sediment Control, latest edition. In addition, an inspection report must be prepared if any deficiencies are noted during the daily inspections.

Inspections should also be performed prior to storm events anticipated to result in substantial storm water runoff. These inspections will include areas used for storage of materials that are exposed to rainfall, structural control measures, locations where vehicles enter or exit the site, and all disturbed areas. Written records of these inspections must be kept on file for the duration of the project and be available for review. Completed forms must be maintained in Appendix I.

If site inspections indicate that BMPs are not operating effectively, need to be modified, maintenance is required, or additional BMP's are necessary, implementation must be performed as soon as possible and before the next storm event whenever practicable to maintain the continued effectiveness of the BMPs. If implementation before the next storm event is impracticable, the situation must be documented in the SWPPP and alternative BMPs must be implemented as soon as possible.

All pollution prevention measures must be maintained in good working order. If a repair is necessary, it will be initiated, if practicable, within 24 hours of report.

A blank inspection report has been provided in Appendix I. The Inspector will record the following information on an inspection report:

- On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14 days;
- Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of the sediment storage volume
- Inspect all stormwater pollution prevention practices and record all maintenance requirements

such as verifying the integrity of barrier and containment systems. Identify any evidence of rill or gully erosion occurring and any loss of stabilizing vegetation or seeding/mulching

- Document excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures.
- Inspect areas that are designated for the storage and/or transfer of fuels, lubricants or other hazardous materials
- Inspect construction equipment for leaks on a daily basis
- All deficiencies that are identified with the implementation of the SWPPP

If there are no incidents of non-compliance, then a certification that the site is in compliance with the SWPPP and the GP must be made by the Contractor. A certification is provided on the inspection form included in Appendix I.

7.3 Maintenance of Controls

The following maintenance practices will be used by the Contractor to maintain erosion and sediment controls.

- All erosion and sediment control measures and other protective measures must be maintained in effective operating condition.
- Accumulated sediment within the catch basin inlet protection must be removed.
- Maintenance of pollution prevention measures must be continued on the site for as long as a portion of the site remains disturbed.
- If issues are identified at hazardous materials storage areas, corrective actions will be implemented immediately.
- If leaks or spills are identified procedures outlined in Section 6.0 will be followed.

7.4 Corrective Action

For each corrective action taken in accordance with this Section 7.0, a corrective action report must be completed, which includes the applicable information provided below. Note that these reports must be maintained in the inspection records but do not need to be provided to DEC except upon request. Within 24 hours of discovering the occurrence of one of the triggering conditions in the GP, a report of the following must be completed:

- Which condition was identified at the site;
- The nature of the condition identified; and
- The date and time of the condition identified and how it was identified.

Within 7 calendar days of discovering the occurrence of one of the triggering conditions in the GP, a report of the following must be completed:

- Any follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred;
- A summary of stormwater control modifications taken or to be taken, including a schedule of activities necessary to implement changes, and the date the modifications are completed or expected to be completed; and
- Notice of whether SWPPP modifications are required as a result of the condition identified or corrective action

Signature Requirements. Each corrective action report must be signed and certified in accordance

with the GP. Corrective Action Report Logs are provided in Appendix I.

7.5 Delegation of Authority

Duly Authorized Representative(s) or Position(s):

Company: Borrego Solar Systems, Inc.

Name:

Position: Construction Superintendent

Address: 30 Century Hill Drive, Suite 301 Latham, NY 12110

Telephone: (Mobile)

E-mail:

8.0 RECORD KEEPING AND TRAINING

8.1 Record Keeping

The following is a list of records which the Operator and Contractor must maintain at the project site and made available for inspectors to review:

- Completed Inspection Reports (Appendix I) -Contractor only.
- A copy of the Construction General Permit (Appendix B).
- Signed and certified NOI (Appendix C).
- A copy of the letter from the DEC acknowledging receipt of the NOI (Appendix C).
- A copy of the Notice of Coverage from the DEC (Appendix C).

8.2 Modifying the SWPPP

This SWPPP must be modified as necessary to:

- Ensure permit compliance when notified by DEC that the plan does not comply.
- Include additional or modified BMPs that correct problems identified as a result of an inspection. Revisions must be completed with seven (7) calendar days following the inspection.
- Ensure the effectiveness of the SWPPP in eliminating or significantly minimizing pollutants from storm water discharges from the site.
- Prevent the reoccurrence of releases of a hazardous material or oil.
- Address a change in design, construction, operation, or maintenance which has or may have a significant effect on the potential for the discharge of pollutants.
- Changes in personnel

All modifications to the SWPPP must be recorded on the SWPPP Amendment Form found in Appendix I and retained in Appendix I, Completed SWPPP Amendment Forms.

8.3 Training

Training sessions must be provided by the Contractor for all construction personnel. The training will review specific BMPs used in the work area as well as reporting and response measures that may be needed by either construction personnel and/or inspectors to implement the SWPPP. A Training Log including dates, attendees, subjects covered, and length of training has been provided in Appendix I.

Suggested training topics include:

- Erosion and Sedimentation Control Plans
- Temporary Sediment Control including Tracking Control

- Wind Erosion Control
- Temporary Soil Stabilization
- Non- Storm Water Management
- Waste management and Material Pollution Control

Copies of the SWPPP and all reports required by the GP, and records of all data used to complete the Notice of Intent to be covered by this permit, must be retained by the Operators for a period of at least three (3) years from the date that the site is finally stabilized.

9.0 CERTIFICATION AND NOTIFICATION

CERTIFICATION – Operator (Contractor)

The following certification statement must be signed and dated by a person who meets the requirements of Part VII.H.1 of the GP.

This certification must be re-signed in the event of a SWPPP Modification.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: * _____
Signature: _____
Title: _____
Company: Borrego Solar Systems, Inc.
Date: _____

*This form shall be signed by a responsible corporate office of the Operator or by a duly authorized representative in accordance with Part VII.H.1 of the GP.

CERTIFICATION STATEMENT

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Print name and title:

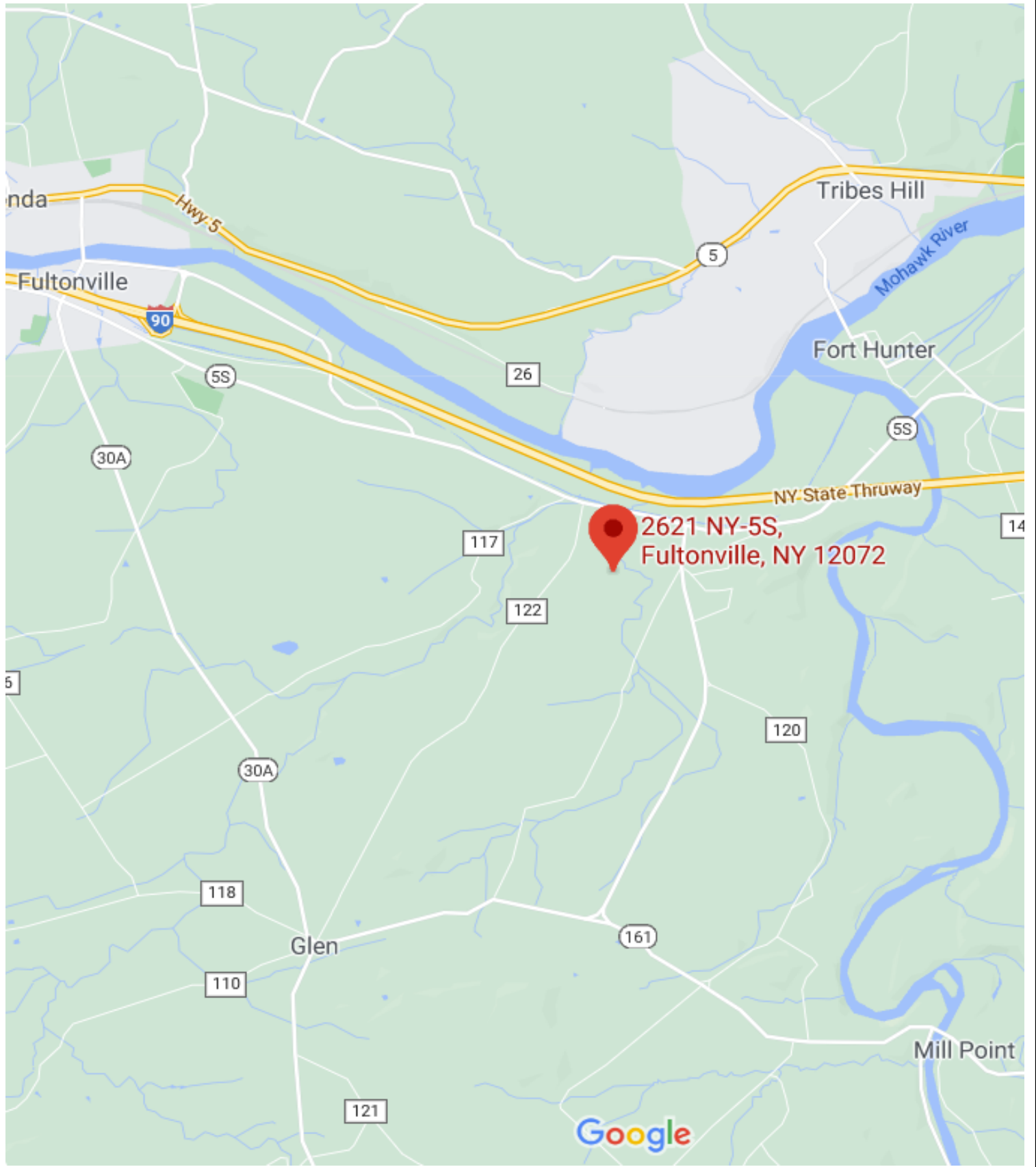
Company:
Borrego Solar Systems, Inc.

Signature: _____ Date: _____

10.0 FINAL STABILIZATION AND NOTICE OF TERMINATION

Once construction activity has been completed a Notice of Termination must be filed with the DEC within 30 days of final stabilization on all portions of the site for which the Operator was responsible. A blank NOT has been provided in Appendix D. However, before terminating permit coverage, the following items must be accomplished:

- Remove any construction debris and trash
- Remove temporary BMPs (such as silt fence). Remove any residual sediment as needed. Seed and mulch any small bare spots. BMPs that will decompose, including some fiber rolls and blankets, may be left in place.
- Check areas where erosion-control blanket or matting was installed. Cut away and remove all loose, exposed material, especially in areas where walking or mowing will occur. Reseed all bare soil areas.
- Ensure that 80 percent of vegetation coverage has been achieved or equivalent stabilization measures have been applied.
- Repair any remaining signs of erosion
- Inspect storm drain system and any permanent sedimentation/detention basins and clean accumulated sediment or debris
- Ensure that post-construction BMPs are in place and operational. Provide written maintenance requirements for all post-construction BMPs to the appropriate party.
- Check all drainage conveyances and outlets to ensure they were installed correctly and are operational. Inspect inlet areas to ensure complete stabilization and remove any brush or debris that could clog inlets.
- Seed and mulch or otherwise stabilize any areas where runoff flows might converge, or high velocity flows are expected.
- Ensure subcontractors have repaired their work areas before final closeout.

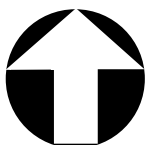
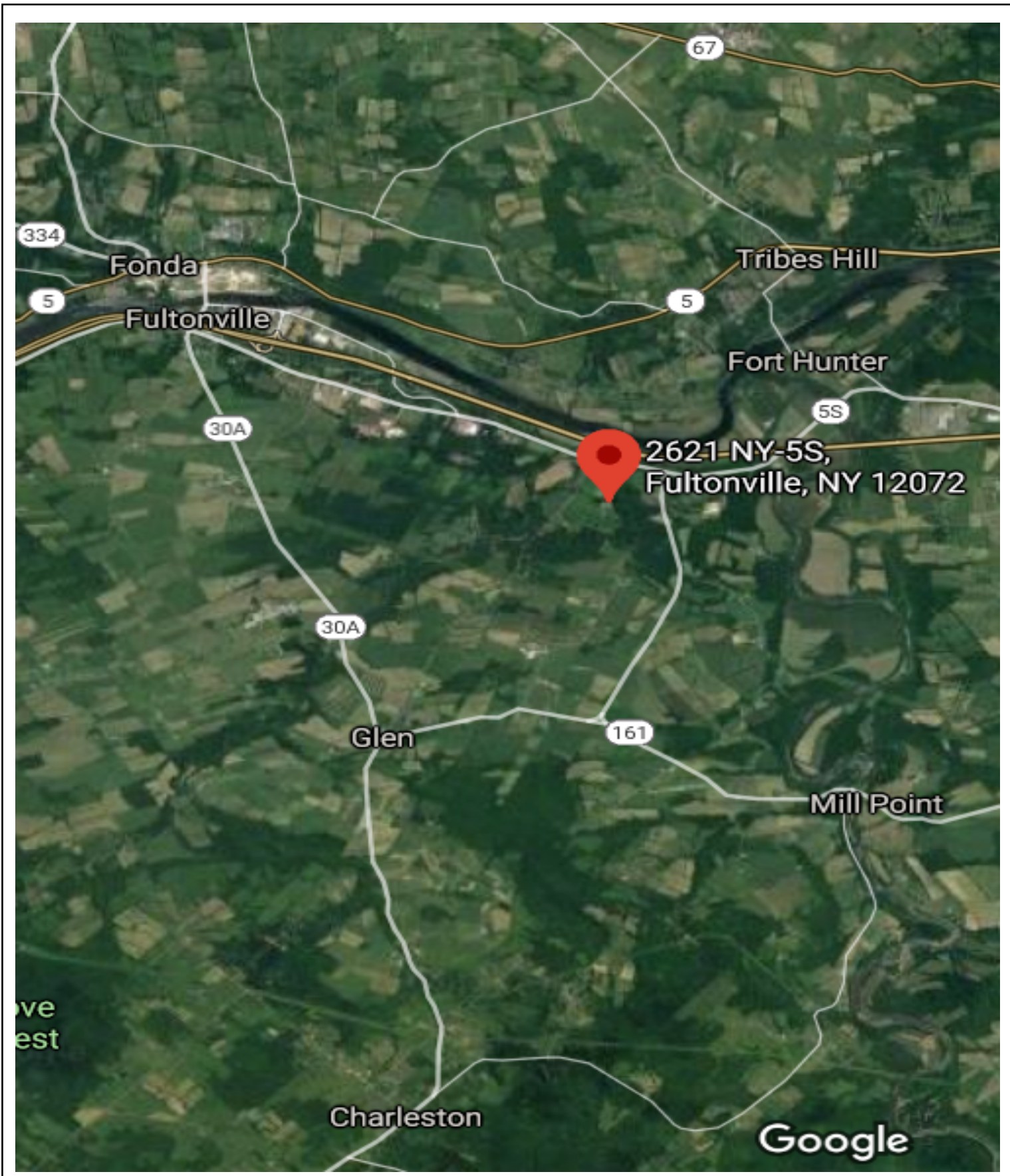


04/07/21

FIGURE 1
Site Location Map
2621 State Highway 5S
Fultonville, NY

Data Source: Google Maps

PV Engineers. P.C.
30 Century Hill Drive
Suite #301
Latham, NY 012110

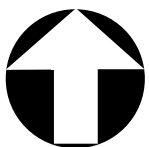
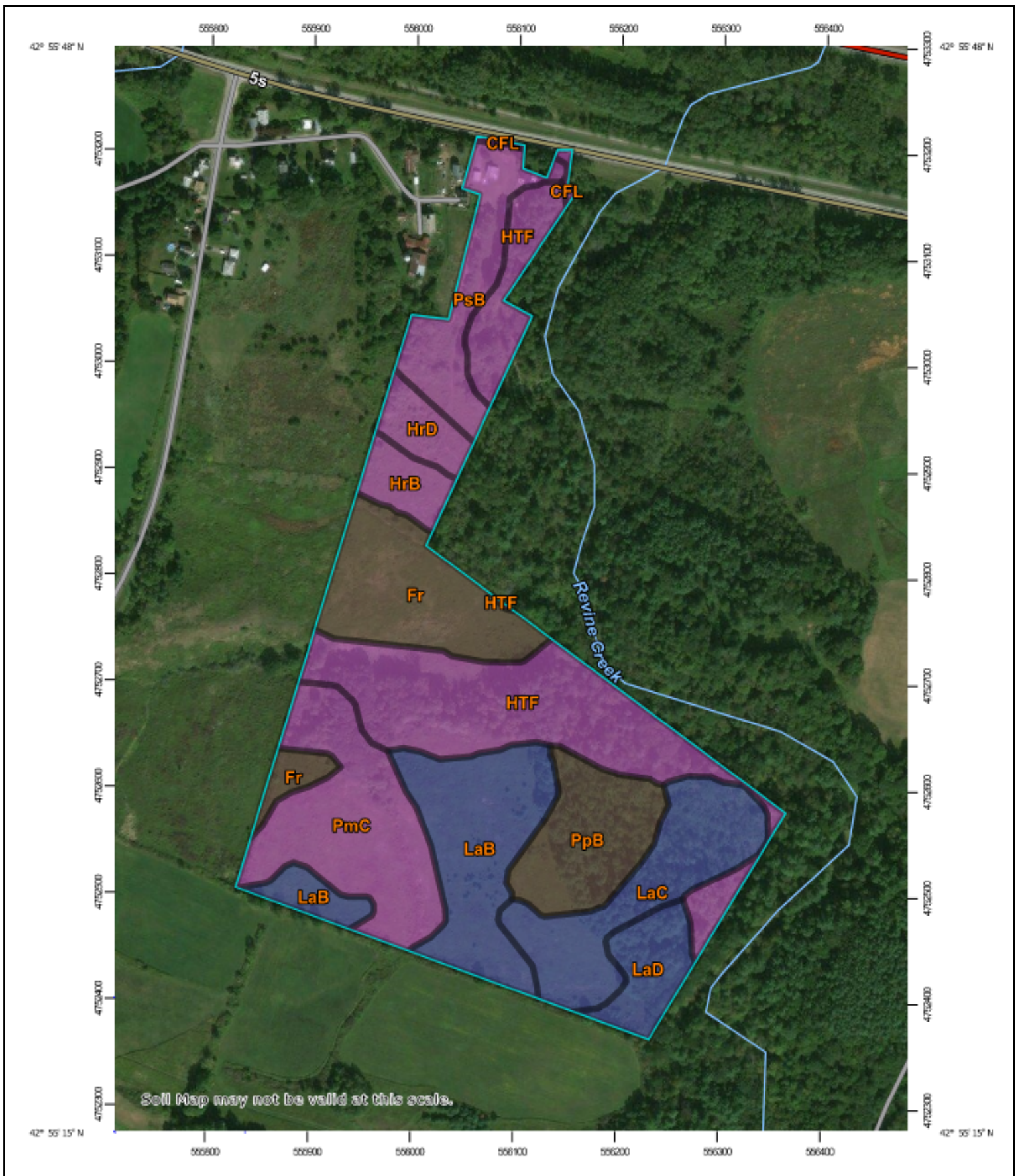


04/07/21

FIGURE 2
Site Aerial Map
2621 State Highway 5S
Fultonville, NY

Data Source: Google Maps

PV Engineers. P.C.
30 Century Hill Drive
Suite #301
Latham, NY 012110



04/07/21

FIGURE 3
Soils Map
2621 State Highway 5S
Fultonville, NY

Data Source: USGS WebSoilSurvey

PV Engineers. P.C.
 30 Century Hill Drive
 Suite #301
 Latham, NY 012110

Appendix A

Site Maps

SITE USE PERMIT SET

2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072
5000 KWAC STC RATED SOLAR ELECTRIC SYSTEM

THIS DOCUMENT IS PROVIDED BY BORREGO SOLAR SYSTEMS, INC. TO FACILITATE THE SALE AND INSTALLATION OF A SOLAR POWER SYSTEM FROM BORREGO SOLAR SYSTEMS, INC. REPRODUCTION, RELEASE OR UTILIZATION FOR ANY OTHER PURPOSE, WITHOUT PRIOR WRITTEN CONSENT IS STRICTLY PROHIBITED.



BORREGO SOLAR
55 TECHNOLOGY DRIVE, SUITE 102
LOWELL, MA 01851
PHONE: (888) 898-6273
FAX: (888) 843-6778
WWW.BORREGOSOLAR.COM

NOT FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON TO ALTER ANY DOCUMENT WHICH BEARS THE SEAL OF A PROFESSIONAL ENGINEER, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER.

NYSERDA SUBMISSION
 2621 STATE HIGHWAY 5S SOLAR PROJECT
 2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

REV	DATE	DRWN	CHECKED	RELEASE LEVEL
	2/10/21	DC	GG	SITE USE PERMIT SET
	04/05/21	DC	GG	NYSERDA PERM. 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

T-1
TITLE PAGE

GENERAL NOTES

- AS CONTAINED HEREIN, "CONTRACTOR" IS ASSUMED TO BE THE EPC PROVIDER HIRED BY THE SYSTEM/PROJECT OWNER.
- WHEN THERE IS A CONFLICT BETWEEN THESE GENERAL NOTES AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN.
- ALL WORK SHALL CONFORM TO THE MINIMUM STANDARDS OF THE FOLLOWING: LOCAL BUILDING CODE, LOCAL ELECTRICAL CODE, ANY OTHER REGULATING AGENCIES WHICH HAVE AUTHORITY OVER ANY PORTION OF THE WORK AND THOSE CODES AND STANDARDS LISTED IN THESE DRAWINGS.
- THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEVELOPING A CONSTRUCTION LEVEL DESIGN AND ASSOCIATED DRAWINGS AND DETAILS.
- COORDINATE THESE DRAWINGS WITH SPECIFICATIONS AND MANUFACTURER INSTALLATION AND OPERATION MANUALS.
- UNLESS OTHERWISE NOTED, THE DESIGN REPRESENTED ON THESE PLANS IS BASED ON THE INFORMATION AND CRITERIA LISTED IN THE "BASIS OF DESIGN" SECTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY SUCH INFORMATION IN PREPARATION OF THE CONSTRUCTION DESIGN.
- THE EXISTING CONDITIONS REPRESENTED ON THESE PLANS ARE BASED ON PUBLICLY AVAILABLE INFORMATION AND THE SITE DISCOVERY SUMMARIZED IN THESE DRAWINGS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ACCURACY OF SUCH INFORMATION AND SUPPLEMENT WITH ANY ADDITIONAL REQUIRED INFORMATION.
- UNLESS INDICATED AS EXISTING (E), ALL PROPOSED MATERIALS AND EQUIPMENT SHALL BE CONSIDERED TO BE NEW.
- ALL EQUIPMENT AND COMPONENTS SHALL BE MOUNTED IN COMPLIANCE WITH THE MANUFACTURER'S REQUIREMENTS, CONSTRUCTION DETAILS, AND/OR PRUDENT INDUSTRY STANDARDS.
- TO THE EXTENT THAT TRESS AND OTHER FEATURES AFFECT THE SYSTEM'S PRODUCTION, SUCH PRODUCTION MODELING IS BASED ON THE EXISTING APPROXIMATE HEIGHTS AND LOCATIONS RELATIVE TO THE SYSTEM AND MAY BE IMPACTED AS TREES GROW AND OTHER FEATURES CHANGE.

PROJECT SCOPE

THIS PROJECT CONSISTS OF THE INSTALLATION OF SOLAR MODULES PER THE SYSTEM DESCRIPTION, BELOW. THE MODULES WILL BE INSTALLED ON A GROUND MOUNTED RACKING SYSTEM. THE MODULES WILL BE WIRED IN SERIES STRINGS AND CONNECTED IN PARALLEL TO THE INVERTER(S), WHICH CONVERT THE PHOTOVOLTAIC OUTPUT POWER FROM DC TO AC. THE SOLAR ELECTRIC SYSTEM WILL BE INTERCONNECTED WITH THE EXISTING SITE ELECTRICAL SYSTEM IN ACCORDANCE WITH THE APPLICABLE ELECTRICAL CODE AND NATIONAL GRID REQUIREMENTS.

THIS PROJECT CONSISTS OF THE INSTALLATION OF ENERGY STORAGE EQUIPMENT, PER THE SYSTEM DESCRIPTION, BELOW. THE ENERGY STORAGE MODULES WILL BE INSTALLED IN A PURPOSE BUILT UNIT(S), AND FIRE SUPPRESSION SYSTEMS. THE ENERGY STORAGE MODULES WILL BE WIRED IN SERIES STRINGS AND CONNECTED THROUGH DC/DC CONVERTERS, WHICH WILL CONVERT DC TO AC WHILE THE BATTERIES ARE DISCHARGING.

SYSTEM DESCRIPTION

	SYSTEM SIZE (AC)	5,000 KWAC	
MODULES	(12402) HT-SAAE HT72-18X-545 (OR COMPARABLE)	INVERTERS(S)	(2) POWER ELECTRONICS HEMK FS2125/3190 (OR COMPARABLE)
STC RATING (W)	545 WDC	CEC EFFICIENCY	98.5 %
MODULES PER STRING	26	AZIMUTH	180
# OF STRINGS	477	TILT ANGLE	25
RACKING	TERRASMART TP2 2X9	ESTIMATED FOUNDATIONS	TBD

LOCATION MAP



AERIAL VIEW



APPLICABLE CODES AND STANDARDS

2017 NATIONAL ELECTRICAL CODE
2020 BUILDING CODE OF NEW YORK STATE
UL-1703 - SOLAR MODULES
UL-1741 - INVERTERS, COMBINER BOXES
UL-2703 - RACKING MOUNTING SYSTEMS AND CLAMPING DEVICES FOR PV MODULES

PROJECT DIRECTORY

SYSTEM / PROJECT OWNER
TBD

LAND OWNER / HOST
JEFFREY A. LANFEAR
3247 STATE HIGHWAY 30A
FULTONVILLE, NY 12072
518-527-0373

AUTHORITY HAVING JURISDICTION
TOWN OF GLEN
7 ERIE STREET
FULTONVILLE, NY 12072
518-853-3633

UTILITY
NATIONAL GRID

CIVIL ENGINEER
FIRM: BORREGO SOLAR SYSTEMS, INC.
CONTACT: GREGORY GIBBONS, P.E.
PHONE: 315-378-9567

ELECTRICAL ENGINEER
FIRM: BORREGO SOLAR SYSTEMS, INC.
CONTACT: AHARON WRIGHT, P.E.
PHONE: 978-221-3081

DESIGN ENGINEER
FIRM: BORREGO SOLAR SYSTEMS, INC.
CONTACT: STEVEN RIGGALL
PHONE: 518-309-7837

GENERAL ABBREVIATIONS

(E) EXISTING	NS NORTH-SOUTH
AHJ AUTHORITY HAVING JURISDICTION	NTS NOT TO SCALE
AL ALUMINUM	OAE OR APPROVED EQUAL
APPROX APPROXIMATE	OC ON CENTER
ARY ARRAY	OD OUTSIDE DIAMETER
BLDG BUILDING	OFCD OWNER FURNISHED CONTRACTOR INSTALLED
BSS BORREGO SOLAR SYSTEM	PV PHOTOVOLTAIC
CL CENTERLINE	PVC POLY VINYL CHLORIDE
DAS DATA ACQUISITION SYSTEM	SCH SCHEDULE
DIA DIAMETER	SS STAINLESS STEEL
DO DITTO	SSS SOLAR SUPPORT STRUCTURE
EW EAST-WEST	STC STANDARD TEST CONDITIONS
FBO FURNISHED BY OTHERS	TBD TO BE DETERMINED
FF FORWARD FACING	TP TAMPER PROOF
GALV GALVANIZED	TYP TYPICAL
HDG HOT DIP GALVANIZED	UON UNLESS OTHERWISE NOTED
HVAC HEATING VENTILATION AND AIR CONDITIONING	VIF VERIFY IN FIELD
ID INSIDE DIAMETER	WP WEATHER PROOF
MFR MANUFACTURER	
MOD SOLAR MODULE	

BOUNDARY & TOPOGRAPHIC SURVEY:
PERFORMED BY LAWSON SURVEYING & MAPPING ON JANUARY 15, 2021.

WETLAND STREAM AND DELINEATION REPORT:
PERFORMED BY SHUMAKER CONSULTING ENGINEERING & LAND SURVEYING, D.P.C. ON OCTOBER 27, 2020.

REV 1.0

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NYSDOT SUBMISSION
NYSDA SUBMISSION
 2621 STATE HIGHWAY 5S SOLAR PROJECT
 2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

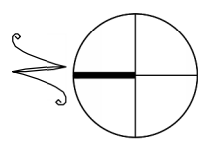
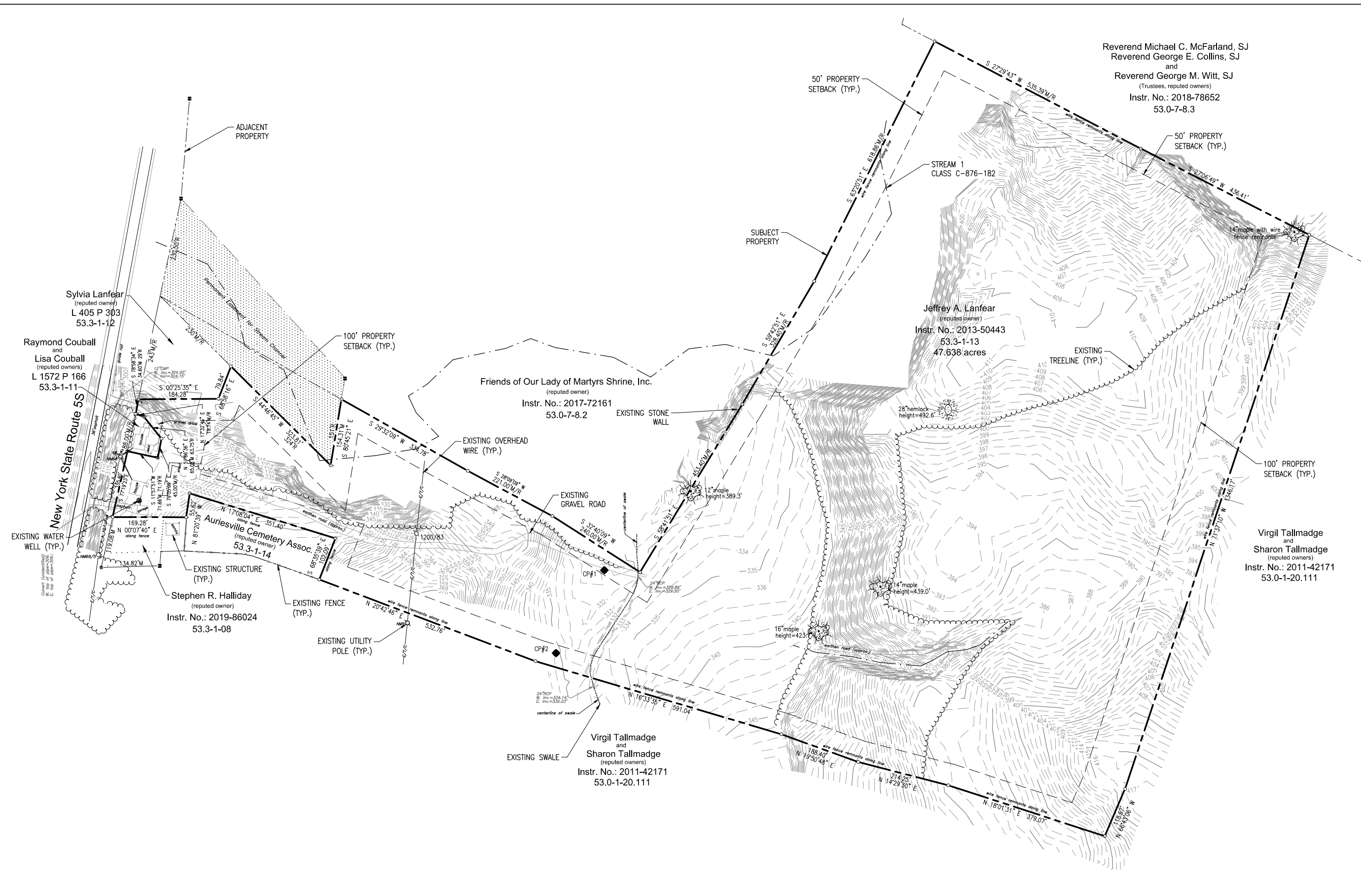
PROJECT NUMBER:
108-4862

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
	2/10/21	DC	GG	SITE USE PERMIT SET
	04/05/21	DC	GG	NYSDOT PERM 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

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C-1.0
 EXISTING CONDITIONS PLAN

Reverend Michael C. McFarland, SJ
 Reverend George E. Collins, SJ
 and
 Reverend George M. Witt, SJ
 (Trustees, reputed owners)
 Instr. No.: 2018-78652
 53.0-7-8.3



EXISTING CONDITIONS PLAN

SCALE: 1" = 100'

LEGEND

	PROPERTY LINE
	SUBJECT PROPERTY LINE
	PROPERTY LINE SETBACKS

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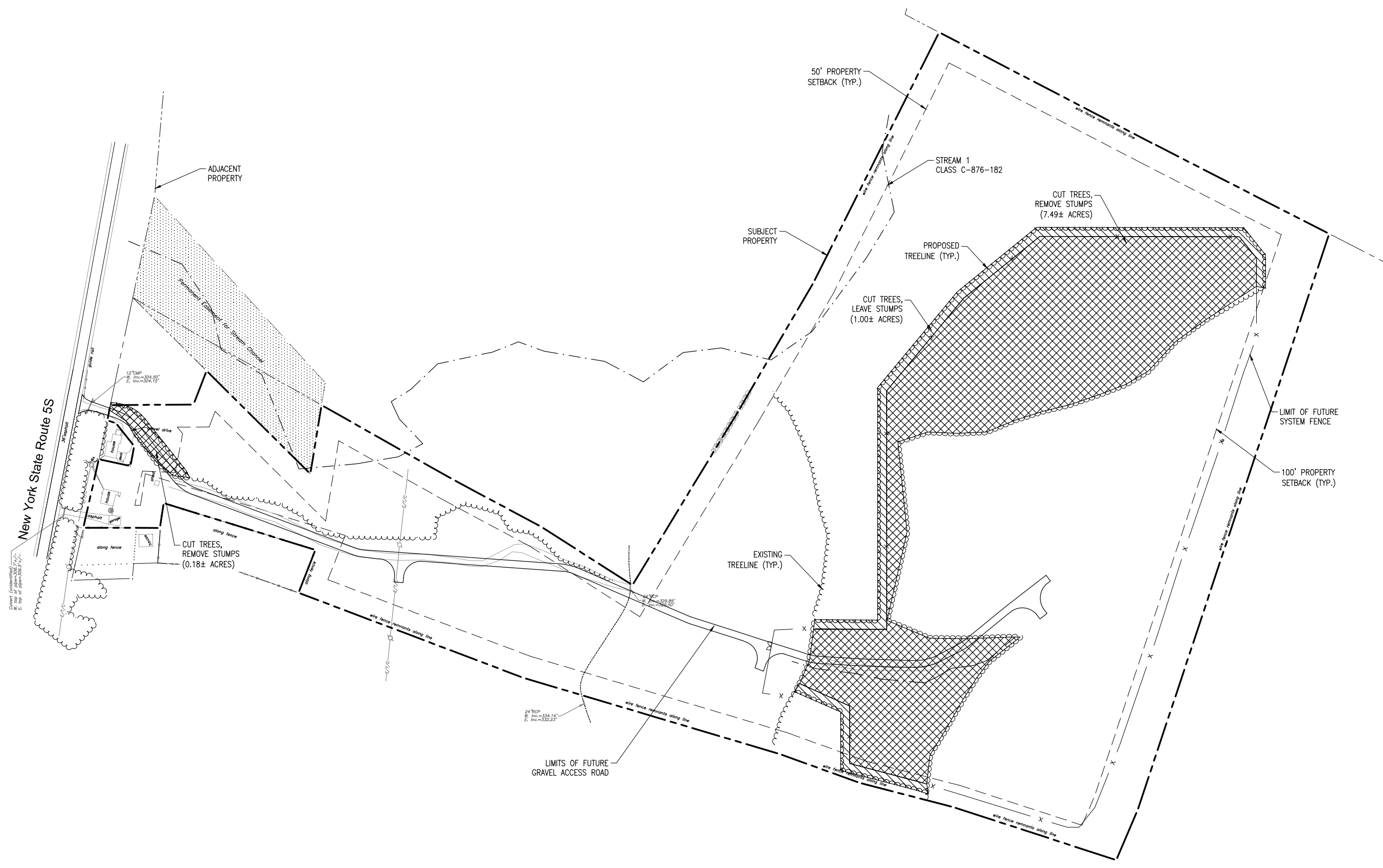
NYSERDA SUBMISSION
2621 STATE HIGHWAY 5S SOLAR PROJECT
2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

REV	DATE	DESCRIPTION
1	2/10/21	DC SITE USE PERMIT SET
2	04/05/21	DC NYSDDOT PERM 33-COM
3	04/09/21	DC PLANNING BOARD SUBMISSION
4	06/10/21	DC PLANNING BOARD SUBMISSION

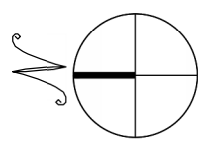
SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

C-2.0
TREE CLEARING PLAN



TREE CUTTING ONLY = 1.00 ACRES
 TREE CUTTING AND STUMPING = 7.67 ACRES
 TOTAL = 8.67 ACRES

LEGEND	
	PROPERTY LINE
	SUBJECT PROPERTY LINE
	PROPERTY LINE SETBACKS
	TREE CUTTING ONLY
	TREE CUTTING AND STUMPING



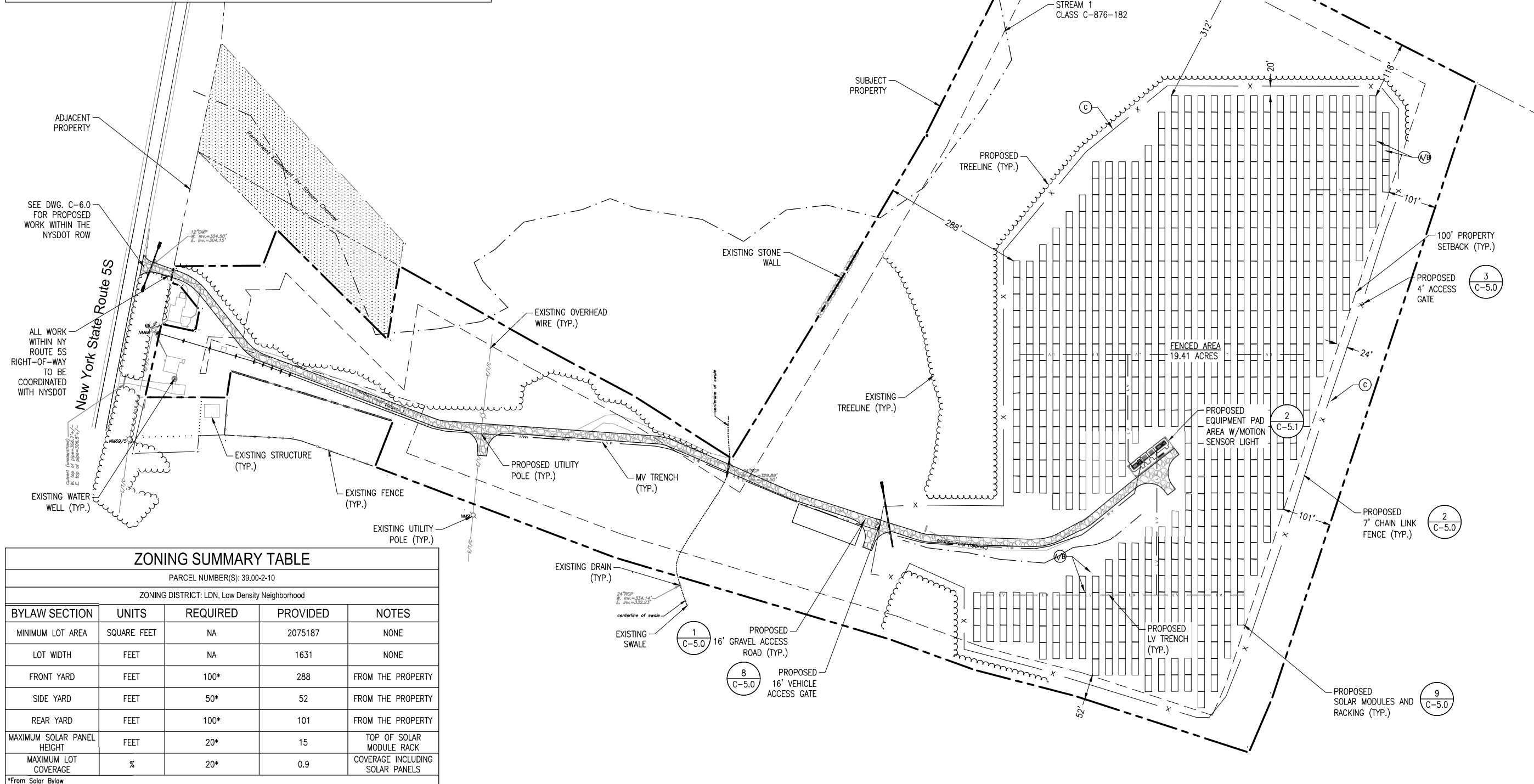
TREE CLEARING PLAN

SCALE: 1" = 100'

SEEDING SPECIFICATIONS

A/B	LOCATION	NAME/SPECIES	SUPPLIER	SEEDING RATE
A/B	BETWEEN AND UNDER SOLAR PANELS	REBEL TALL FESCUE, CHEWINGS FESCUE OR HARD FESCUE	SEEDLAND.COM	5 lbs./1,000 SF
		ERNMX-129: CONSERVATION SHADE MIX	ERNST	
C	OUTSIDE OF FENCE	ERNMX-179: BUTTERFLY & HUMMINGBIRD GARDEN MIX	ERNST	30 lbs./ACRE

- BETWEEN DECEMBER 1ST AND APRIL 1ST, EACH TYPE OF SEED SHALL HAVE AN ADDITIONAL 1#/1,000 SF OF WINTER RYEGRASS OR GRAIN RYE GRASS SEED.
- IT SHALL BE THE SUB-CONTRACTORS RESPONSIBILITY TO ENSURE THAT THE PROJECT LIMIT OF WORK IS STABILIZED (IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS/REQUIREMENTS/PERMIT APPROVALS) DURING THE LENGTH OF THE PROJECT.
- ALL DISTURBED AREAS SHALL BE RESTORED WITH 4" MINIMUM TOPSOIL & SEED PER SEEDING SPECIFICATIONS LISTED IN THIS TABLE.

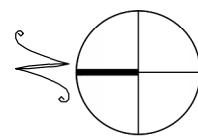
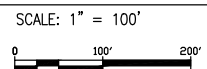


ZONING SUMMARY TABLE

PARCEL NUMBER(S): 39.00-2-10				
ZONING DISTRICT: LDN, Low Density Neighborhood				
BYLAW SECTION	UNITS	REQUIRED	PROVIDED	NOTES
MINIMUM LOT AREA	SQUARE FEET	NA	2075187	NONE
LOT WIDTH	FEET	NA	1631	NONE
FRONT YARD	FEET	100*	288	FROM THE PROPERTY
SIDE YARD	FEET	50*	52	FROM THE PROPERTY
REAR YARD	FEET	100*	101	FROM THE PROPERTY
MAXIMUM SOLAR PANEL HEIGHT	FEET	20*	15	TOP OF SOLAR MODULE RACK
MAXIMUM LOT COVERAGE	%	20*	0.9	COVERAGE INCLUDING SOLAR PANELS

*From Solar Bylaw

LAYOUT AND MATERIALS PLAN



LEGEND

- PROPERTY LINE
- - - SUBJECT PROPERTY LINE
- - - PROPERTY LINE SETBACKS

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55 TECHNOLOGY DRIVE, SUITE 102
LOWELL, MA 01851
PHONE: (888) 898-6273
FAX: (888) 843-6778
WWW.BORREGOSOLAR.COM

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NYSERDA SUBMISSION
 2621 STATE HIGHWAY 5S SOLAR PROJECT
 2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

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	04/05/21	DC	GG	NYS DOT PERM 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

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C-3.0
LAYOUT AND MATERIALS PLAN

NOT FOR CONSTRUCTION

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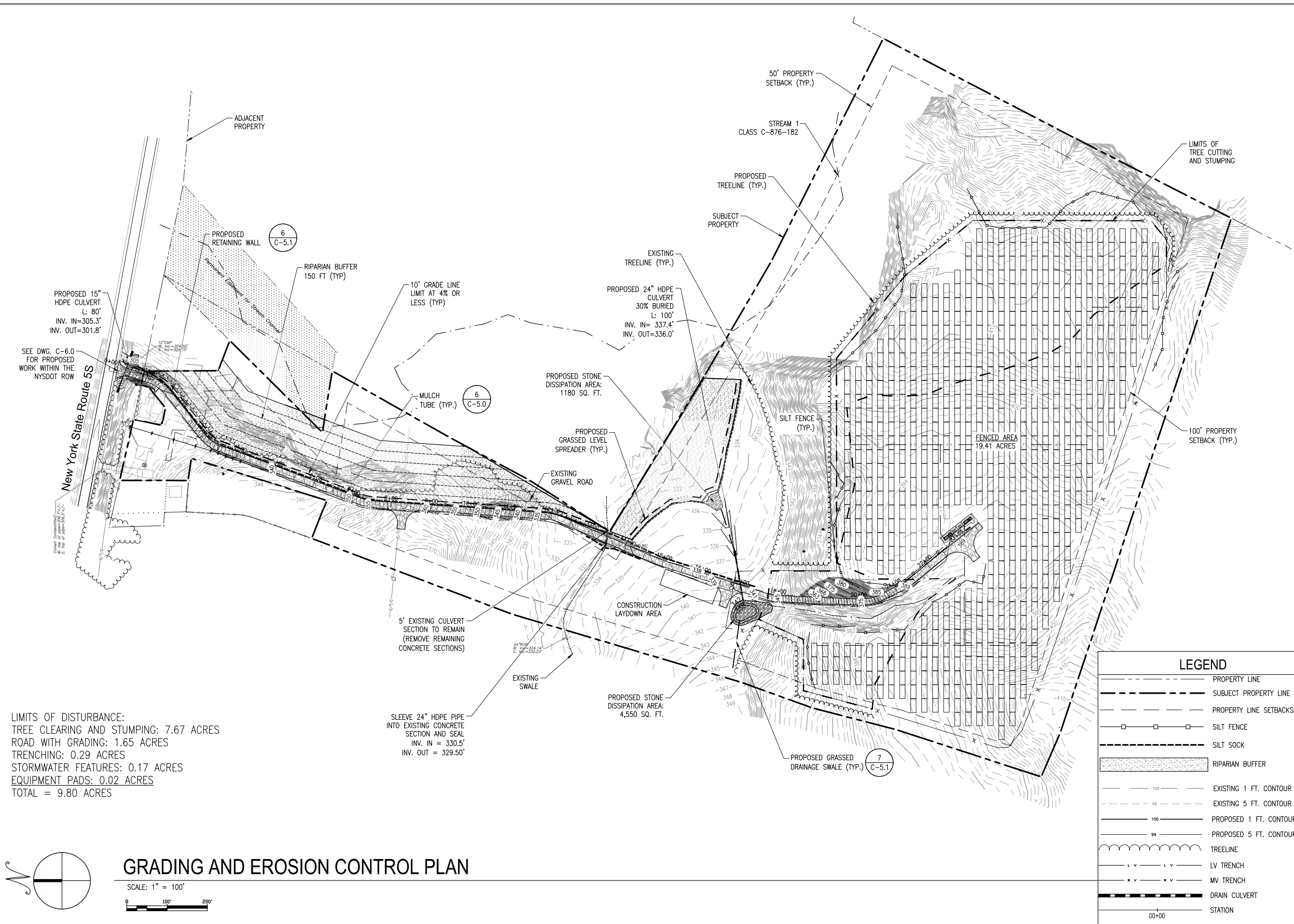
NYSERDA SUBMISSION
2621 STATE HIGHWAY 55 SOLAR PROJECT
 2621 STATE HIGHWAY 55, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

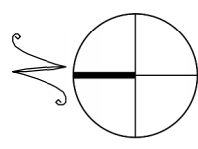
REV	DATE	DESCRIPTION	CHECKED	DATE	DESCRIPTION
	2/10/21	DC	GG	GG	SITE USE PERMIT SET
	04/05/21	DC	GG	GG	NYSDDT PERM 33-COM
	04/09/21	DC	GG	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	GG	PLANNING BOARD SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

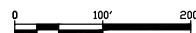
C-4.0
GRADING AND EROSION CONTROL PLAN



LIMITS OF DISTURBANCE:
 TREE CLEARING AND STUMPING: 7.67 ACRES
 ROAD WITH GRADING: 1.65 ACRES
 TRENCHING: 0.29 ACRES
 STORMWATER FEATURES: 0.17 ACRES
 EQUIPMENT PADS: 0.02 ACRES
 TOTAL = 9.80 ACRES

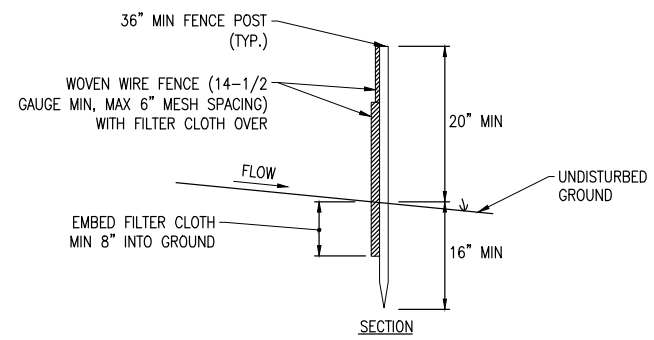
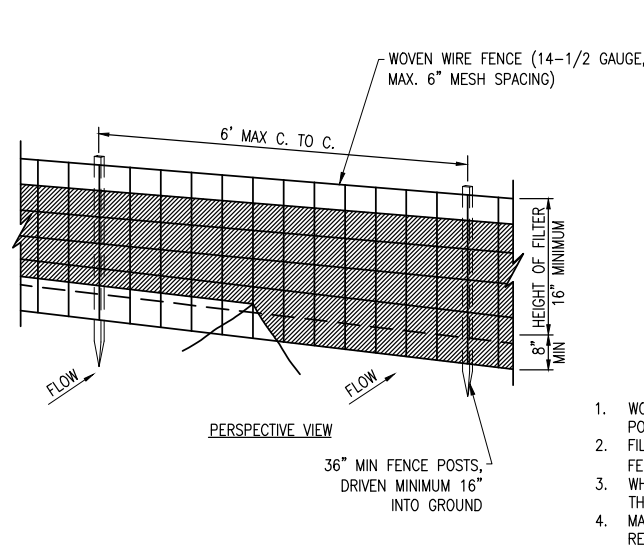


GRADING AND EROSION CONTROL PLAN

SCALE: 1" = 100'


LEGEND

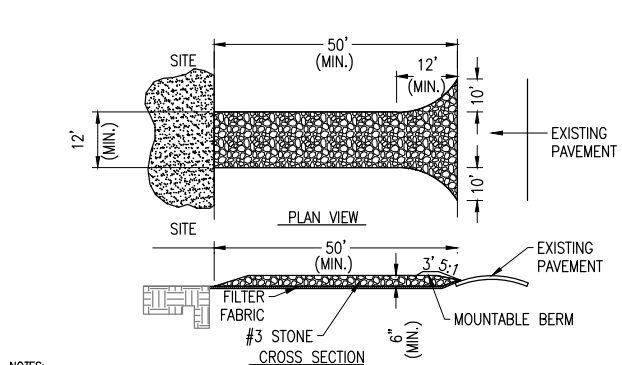
	PROPERTY LINE
	SUBJECT PROPERTY LINE
	PROPERTY LINE SETBACKS
	SILT FENCE
	SILT SOCK
	RIPARIAN BUFFER
	EXISTING 1 FT. CONTOUR
	EXISTING 5 FT. CONTOUR
	PROPOSED 1 FT. CONTOUR
	PROPOSED 5 FT. CONTOUR
	TREELINE
	LV TRENCH
	MV TRENCH
	DRAIN CULVERT
	STATION



- CONSTRUCTION NOTES FOR FABRICATED SILT FENCE**
- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
 - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
 - MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN BULGES DEVELOP IN THE SILT FENCE.
- POSTS: STEEL, EITHER T OR U TYPE OR 2" HARDWOOD
 FENCE: WOVEN WIRE, 14 GAUGE 6" MAX. MESH OPENING
 FILTER CLOTH: FILTER X, MIRAFI 100X, STABILINKA T140N OR APPROVED EQUAL
 PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUAL

7 SILT FENCE DETAIL

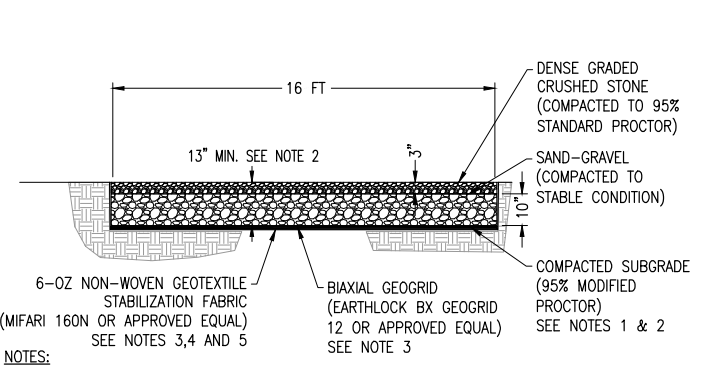
SCALE: NTS
 XD_CIVIL_SILT-FENCE-DETAIL 03-07-2016



- NOTES:
- STONE SIZE - USE NYSDOT 703-0201 SIZE DESIGNATION #3 STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
 - LENGTH- NOT LESS THAN 50 FEET.
 - THICKNESS-NOT LESS THAN 6 INCHES.
 - WIDTH-NOT LESS THAN 12 FEET WHERE MORE THAN ONE (1) ACCESS POINT TO THE SITE. WHERE ONE (1) ACCESS POINT A MINIMUM OF 24 FEET IS REQUIRED.
 - GEOTEXTILE-SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
 - SURFACE WATER-SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCE SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
 - MAINTENANCE-THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY SHALL BE REMOVED IMMEDIATELY.
 - WHEN WHEEL WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
 - PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

4 STABILIZED CONSTRUCTION EXIT

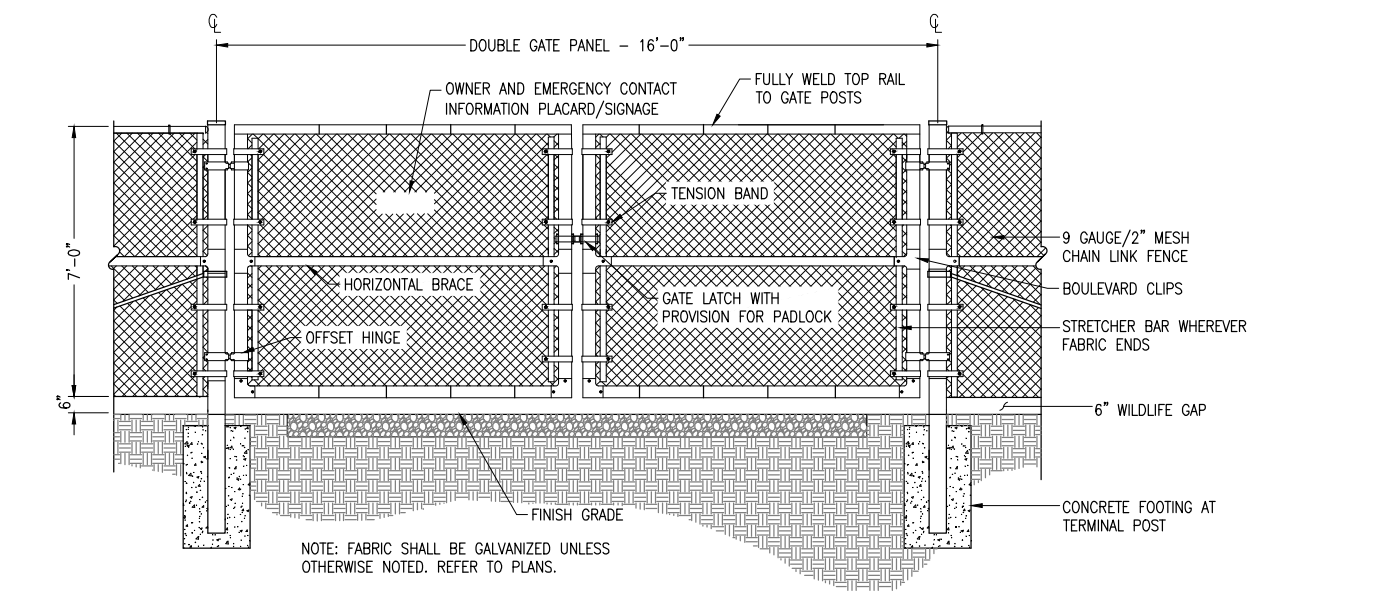
SCALE: NTS
 XD_CIVIL_TEMPORARY CONSTRUCTION STABILIZED CONSTRUCTION EXIT_NY 2019-04-02



- NOTES:
- SUBCONTRACTOR SHALL EXCAVATE TO SUITABLE MATERIAL FOR SUBGRADE.
 - SUBCONTRACTOR SHALL COMPACT SUBGRADE TO PROVIDE SUITABLE SURFACE TO PLACE ROAD. REFER TO GEOTECHNICAL REPORT FOR SUBGRADE PREPARATION CRITERIA.
 - SUBCONTRACTOR SHALL FOLLOW MANUFACTURER INSTALLATION PROCEDURES.
 - WHERE OVERLAPPING OF GEOTEXTILE FABRIC IS REQUIRED, SUBCONTRACTOR SHALL OVERLAP A MINIMUM OF 24".
 - SUBCONTRACTOR SHALL REMOVE TEMPORARY CONSTRUCTION ACCESS ROADS, AND RESTORE TO PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE CEOR AND THE GOVERNING AGENCIES.
 - SUBCONTRACTOR SHALL INSTALL CONDUITS FOR ALL ELECTRICAL CONDUIT CROSSINGS PRIOR TO INSTALLATION OF THE GEOGRID MATERIAL. THE GEOGRID SHALL NOT BE HORIZONTALLY CUT ONCE INSTALLED.

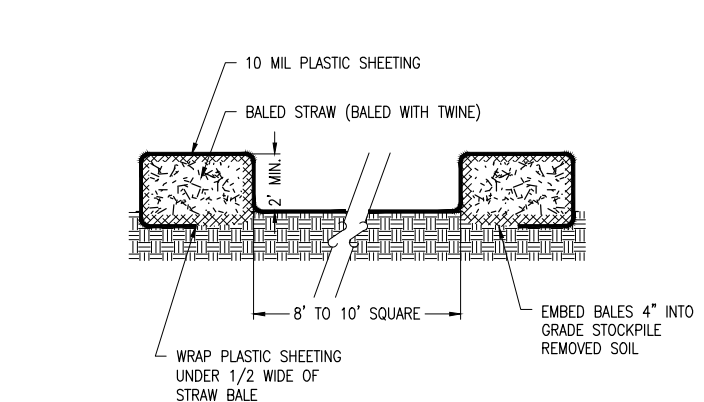
1 GRAVEL ACCESS ROAD

SCALE: NTS
 XD_CIVIL_GRAVEL_ROAD_S 04-30-2019



8 VEHICLE GATE WITH WILDLIFE GAP

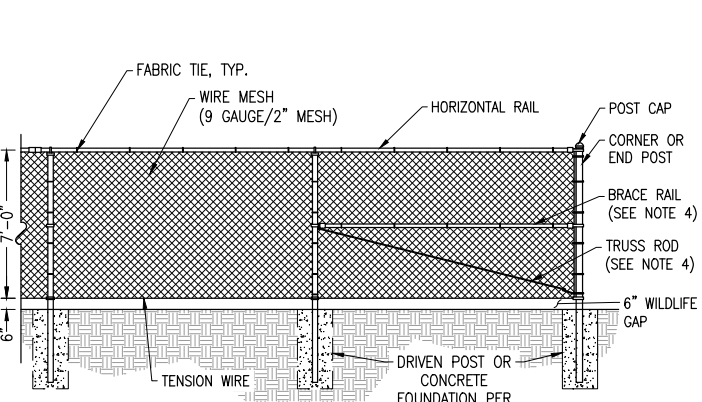
SCALE: NTS
 XD_CIVIL_FENCE_VEHICLE_GATE_T 07-02-2020



- NOTES:
- BASIN SHALL BE INSPECTED DAILY.
 - PLASTIC SHEETING SHALL BE FREE OF TEARS OR HOLES. DAMAGED OR LEAKING BASINS SHALL BE REPLACED OR REPAIRED IMMEDIATELY.
 - ACCUMULATED HARDENED MATERIAL SHALL BE REMOVED WHEN 75% OF THE STORAGE CAPACITY OF THE BASIN IS FILLED. WASHWATER FROM WASHOUT BASIN SHALL EVAPORATE OR BE VACUUMED OUT. REMOVE REMAINING HARDENED SOLIDS. REPLACE PLASTIC SHEETING WITH EACH CLEANING. REPLACE STRAWBALES AS REQUIRED.
 - DISPOSE OF HARDENED MATERIAL OFF-SITE OR PER THE PROJECTS SWPPP.

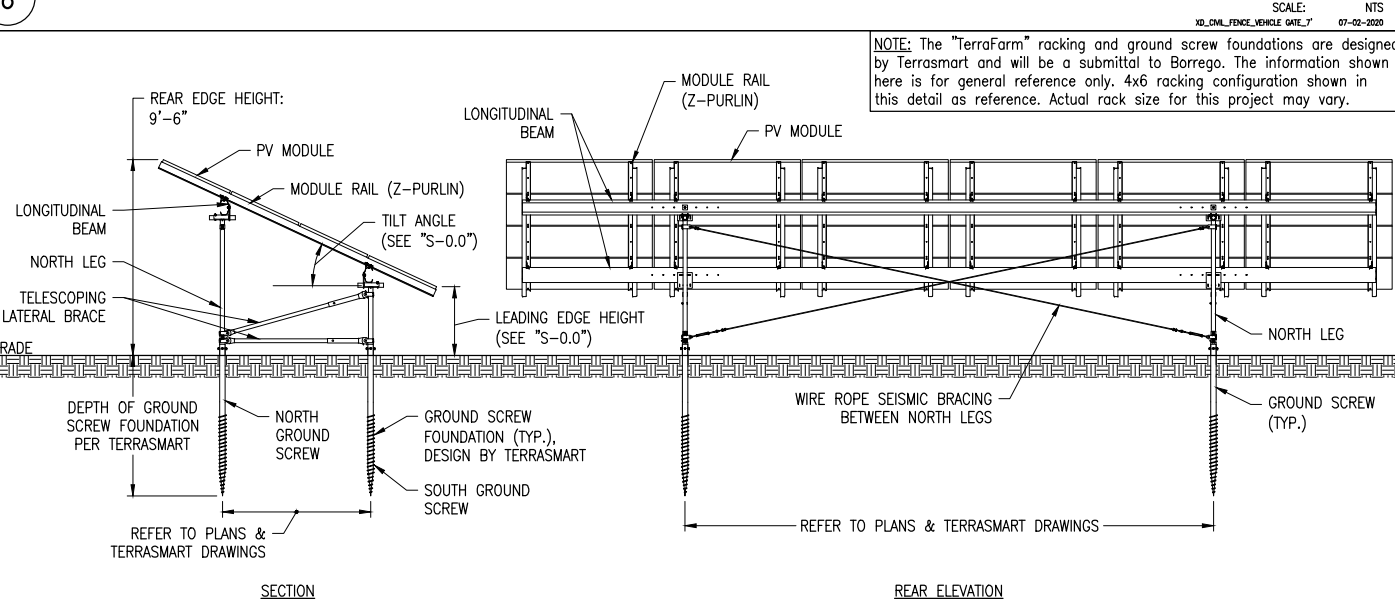
5 CONCRETE WASHOUT BASINS

SCALE: NTS
 XD_CIVIL_CONCRETE WASHOUT BASINS 07-26-2017



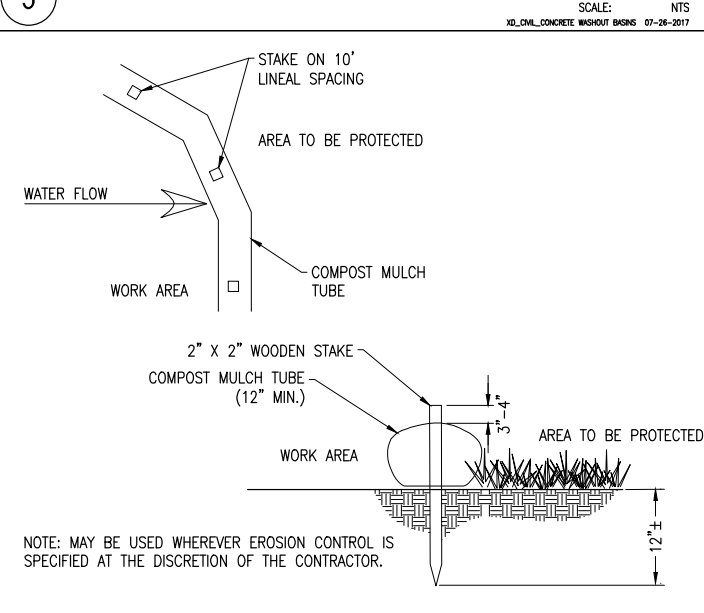
2 CHAIN LINK FENCE WITH WILDLIFE GAP

SCALE: NTS
 XD_CIVIL_FENCE_T_CHAIN_LINK_WILDLIFE_GAP 07-02-2020



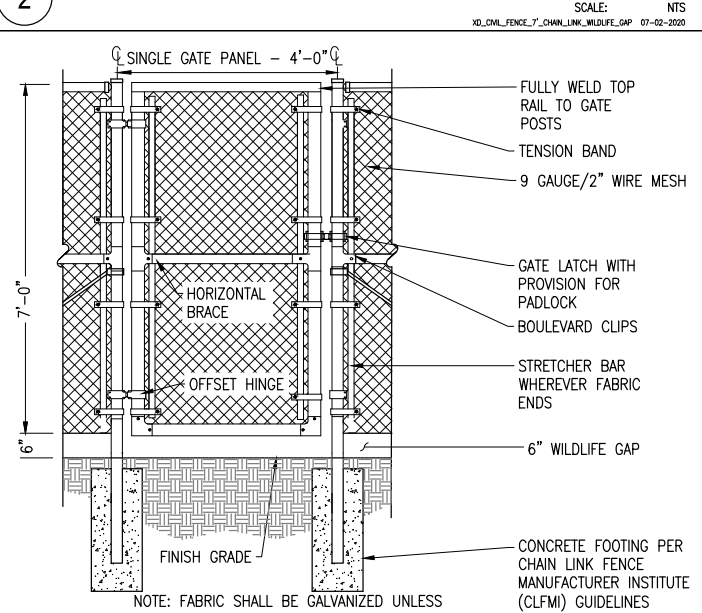
9 TYPICAL RACK SECTION & REAR ELEVATION

SCALE: NTS
 XD_STRUCT_TERRASART_TF3L_RACK SECT & REAR ELEV 2018-12-03



6 MULCH TUBE

SCALE: NTS
 XD_CIVIL_FILTERXX_FILTER SOCK 03-29-2016



3 4' ACCESS GATE WITH WILDLIFE GAP

SCALE: NTS
 XD_CIVIL_SITE CONSTRUCTION_4' WALK THROUGH GATE 07-25-2017

NOT FOR CONSTRUCTION

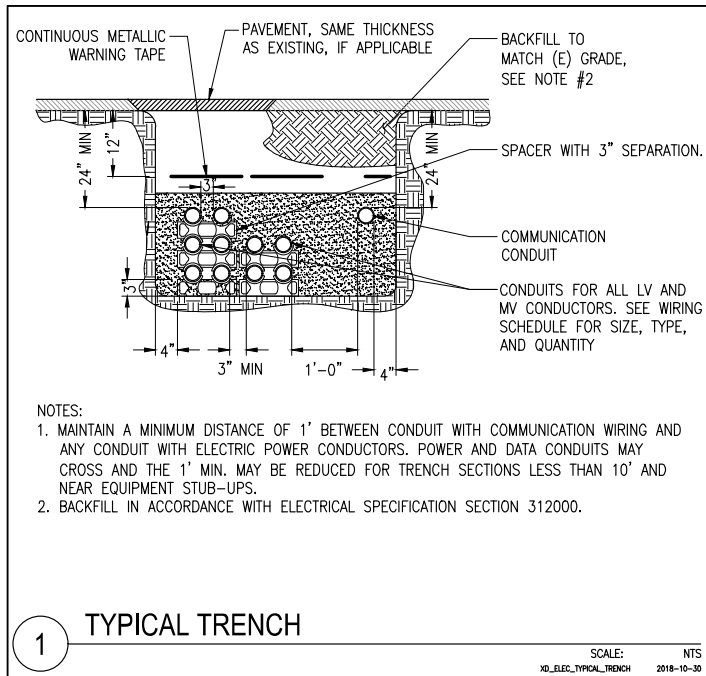
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 2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:
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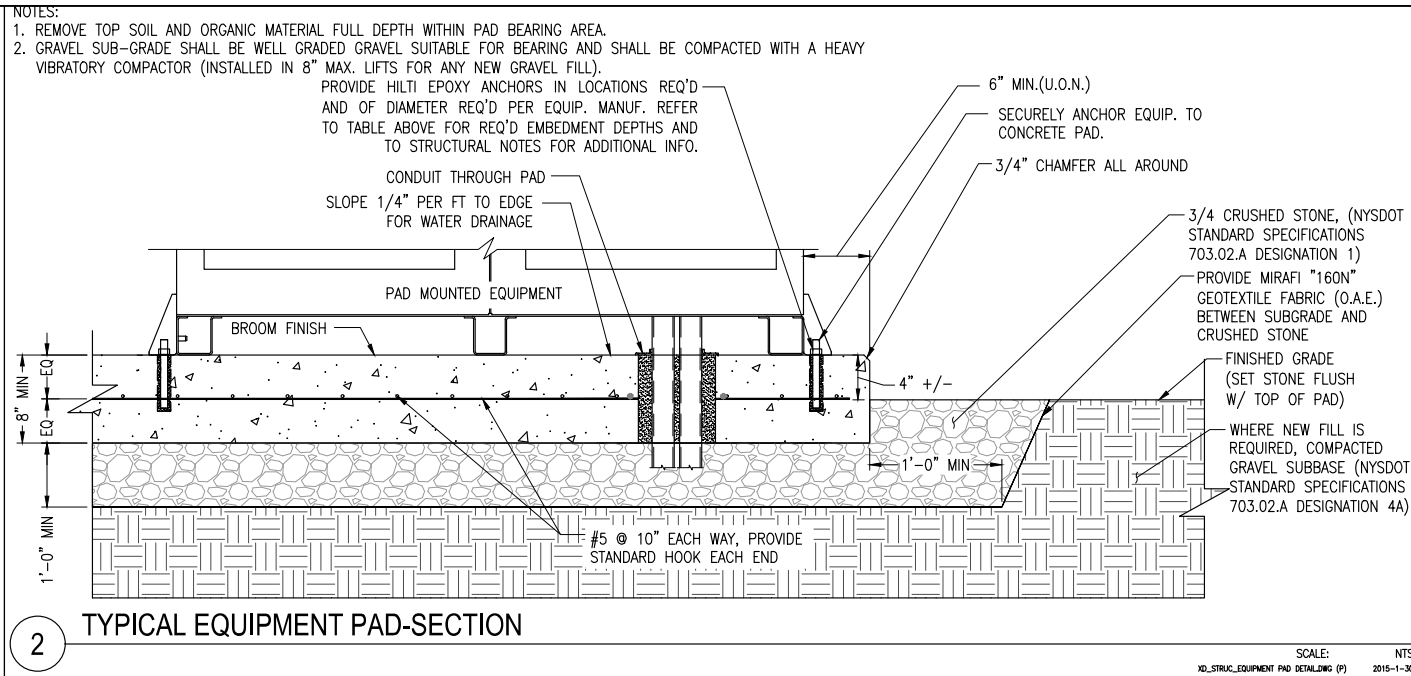
DATE	BY	REVISION
2/10/21	DC	GG SITE USE PERMIT SET
04/05/21	DC	GG NYSDOT PERM 33-COM
04/09/21	DC	GG PLANNING BOARD SUBMISSION
06/10/21	DC	GG PLANNING BOARD SUBMISSION

SCALE: 1/4" = 1'-0"
C-5.0
 CIVIL DETAILS



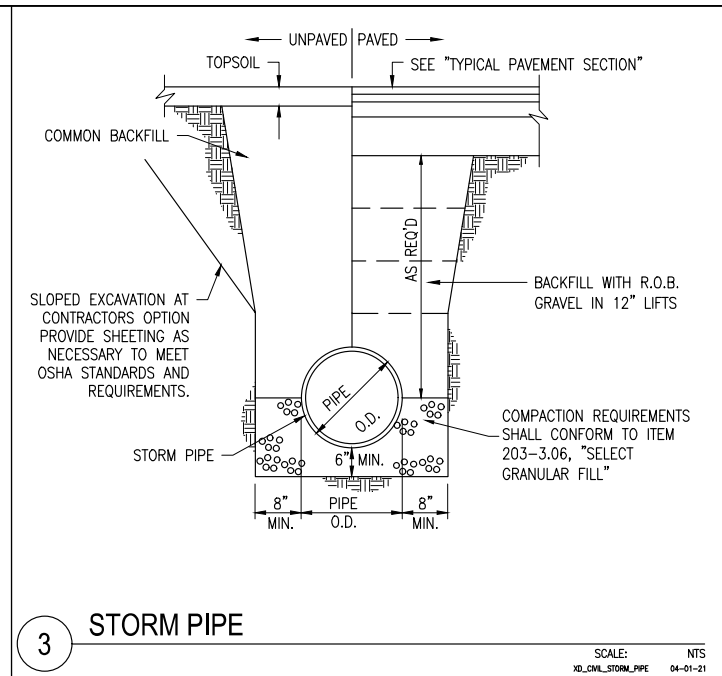
1 TYPICAL TRENCH

SCALE: NTS
XD_ELEC_TYPICAL_TRENCH 2018-10-30



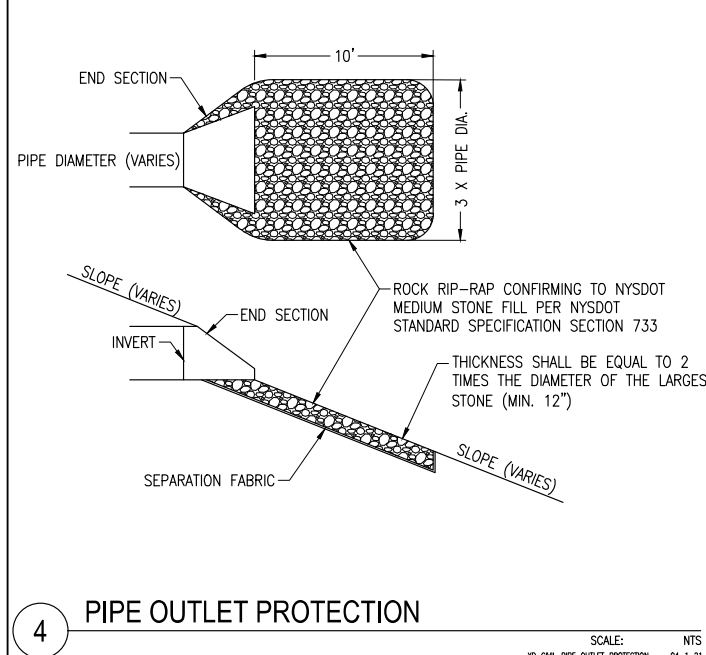
2 TYPICAL EQUIPMENT PAD-SECTION

SCALE: NTS
XD_STRUC_EQUIPMENT_PAD_DETAILING (P) 2015-1-30



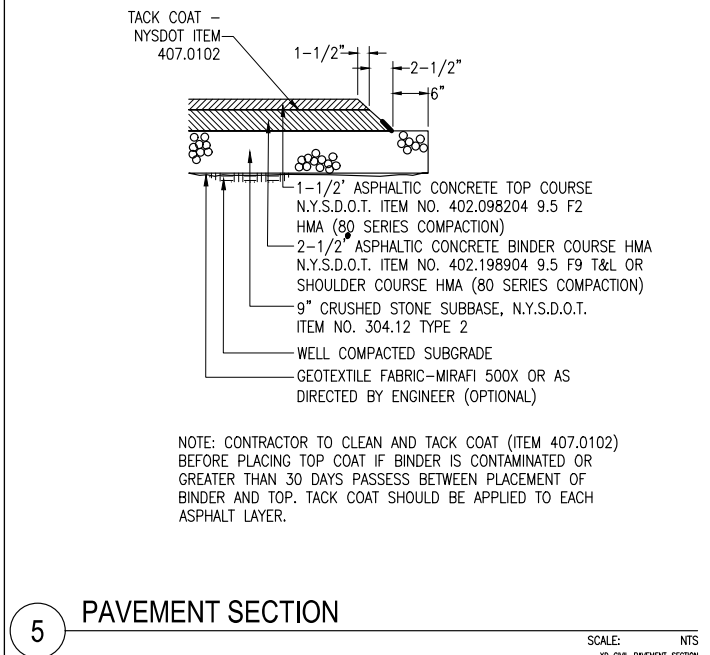
3 STORM PIPE

SCALE: NTS
XD_CIVIL_STORM_PIPE 04-01-21



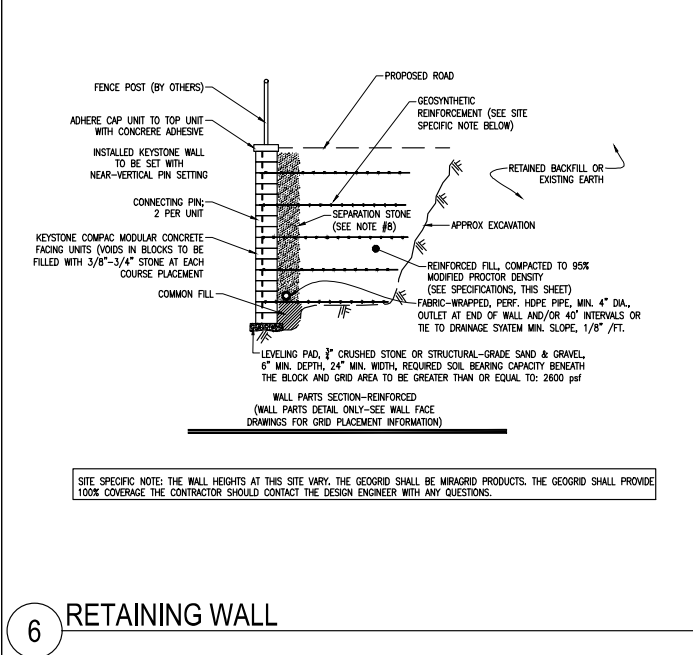
4 PIPE OUTLET PROTECTION

SCALE: NTS
XD_CIVIL_PIPE_OUTLET_PROTECTION 04-1-21



5 PAVEMENT SECTION

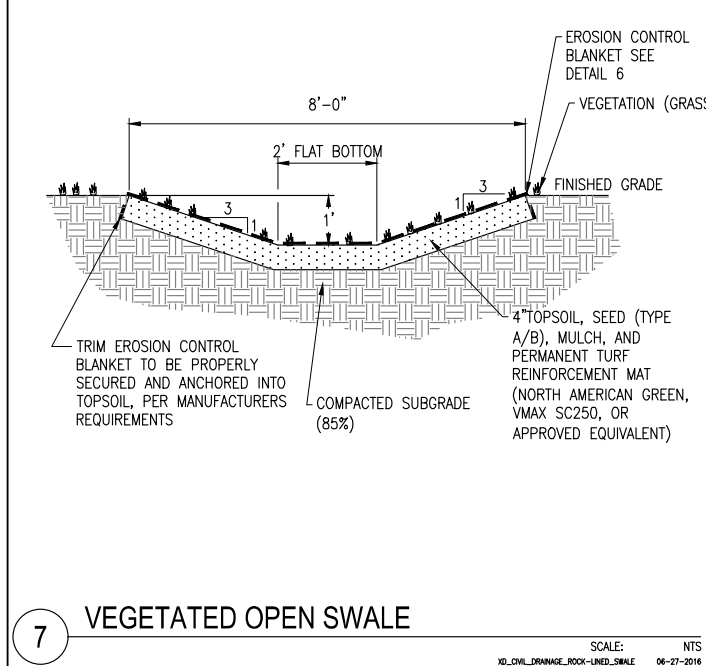
SCALE: NTS
XD_CIVIL_PAVEMENT_SECTION



6 RETAINING WALL

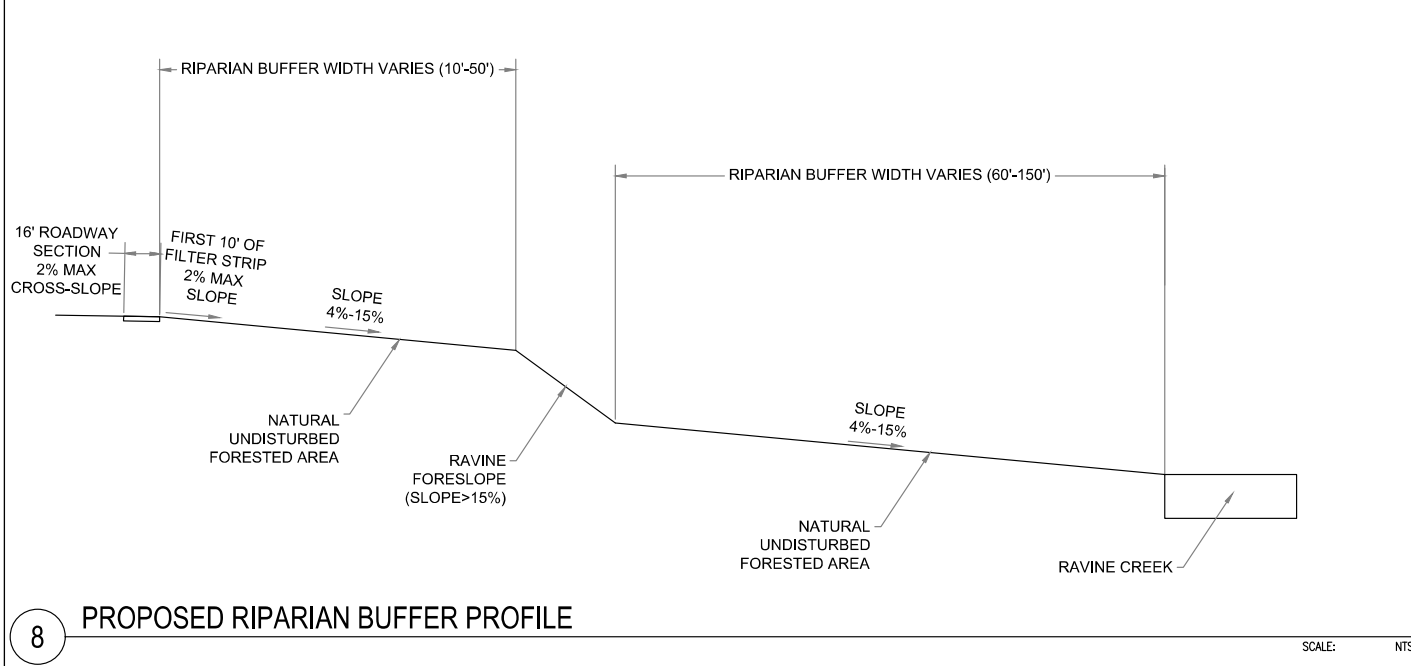
- GENERAL NOTE:
- STRIP ALL VEGETATION, ORGANIC SOILS AND UNSUITABLE FILL SOILS FROM THE WALL AND GRID ALIGNMENT AREA.
 - BENCH CUT ALL EXCAVATED SLOPES.
 - DO NOT OVER EXCAVATE UNLESS DIRECTED TO DO SO BY THE OWNER'S SITE REPRESENTATIVE IN ORDER TO REMOVE UNSUITABLE SOIL. IF OVEREXCAVATING TO IMPROVE BEARING CAPACITY, THE EXCAVATION SHALL EXTEND AT A 1H:1V SLOPE IN FRONT OF THE WALL FACE AND AT LEAST AS FAR BEHIND THE WALL AS THE LONGEST GEGRID LENGTH.
 - THE OWNER'S SITE REPRESENTATIVE SHALL VERIFY FOUNDATION SOILS AS BEING COMPACT.
 - PER THE DESIGN STANDARDS AND PARAMETERS
 - LEVELING PAD SHALL CONSIST OF COMPACTED, STRUCTURAL-GRADE SAND & GRAVEL (OR 3/4" CRUSHED STONE), MINIMUM 4" DEPTH. AN OPTION IS TO PLACE A THIN PAD (MAX. 3" THICK) OF LEAN CONCRETE, UNREINFORCED, TO USE AS A BASE LEVELING PAD.
 - LEVELING PAD SHALL CONSIST OF COMPACTED, STRUCTURAL-GRADE SAND & GRAVEL (OR 3/4" CRUSHED STONE), MINIMUM 4" DEPTH. AN OPTION IS TO PLACE A THIN PAD (MAX. 3" THICK) OF LEAN CONCRETE, UNREINFORCED, TO USE AS A BASE LEVELING PAD.
 - MINIMUM SLOPEMENT OF WALL BELOW FINISH GRADE SHALL BE AS INDICATED ON THE WALL FACE DRAWING TO USE AS A BASE LEVELING PAD.
 - FOLLOW APPLICABLE PROVISIONS OF THE MANUFACTURER'S INSTALLATION INSTRUCTIONS AND WRITTEN SPECIFICATIONS, ESPECIALLY WITH REGARDS TO LEVELING OF BLOCKS AND BASE.
 - SEPARATION STONE, 1/2" THICK, SHALL BE INSTALLED BEHIND THE WALL. THIS MATERIAL SHALL BE CLEAN, 3/4" STONE, (LESS THAN 10% FINES) AS THE WALL HEIGHTS GET TALLER, THE STONE THICKNESS SHOULD INCREASE: 15 FEET < WALL HEIGHT < 25 FEET, USE 1/2" DEPTH OF STONE; 25 FEET < WALL HEIGHT, USE 2/4" DEPTH OF STONE.
 - WHERE PERFORATED HDPE DRAINS ARE USED, PROVIDE OUTLETS AT THE ENDS OF THE WALL AND/OR AT 40' INTERVALS, OR TIE TO A CLOSED DRAINAGE SYSTEM (ALTERNATE OUTLET METHODS MAY BE APPROVED BY THE DESIGN ENGINEER).
 - BACKFILL AND COMPACT THE FILL MATERIAL BEHIND THE WALL AS THE WALL IS INSTALLED.
 - CONSTRUCTION TESTS SHALL BE TAKEN AS THE WALL IS INSTALLED THE MINIMUM NUMBER OF TESTS SHALL BE DETERMINED BY THE OWNER'S SITE REPRESENTATIVE.
 - CONSTRUCTION SHALL BE TO 95% OF MODIFIED PROCTOR (ASTM D-1557) DENSITY OF THE FILL MATERIAL.
 - PULL GEGRID TIGHT PRIOR TO BACKFILLING.
 - PROVIDE LATERAL DRAINAGE SILES TO DIRECT FLOWS AROUND THE ENDS OF THE WALL AND AWAY FROM THE WALL DURING CONSTRUCTION. DO NOT CONSTRUCT SILES BEHIND WALLS AS PART OF FINISHED CONSTRUCTION. GRADE TO ALLOW WATER TO FLOW OVER WALL FACE (OR TO A POINT MORE THAN 10 FEET BEYOND THE LONGEST GEGRID LENGTH).
 - TURF, OR SOME ACCEPTABLE FORM OF SOIL EROSION PROTECTION, SHOULD BE ESTABLISHED AT THE TOP OF THE WALL (WHERE REQUIRED) BY THE LANDSCAPE CONTRACTOR AS SOON AS THE WALL IS COMPLETED.
 - FINAL WALL ALIGNMENT SHALL BE LOCATED IN THE FIELD BY THE OWNER'S SITE REPRESENTATIVE.
 - SEE NOTE 5, SHEET 2 OF THIS SET FOR GUARDRAIL/FENCE POST INSTALLATION GUIDELINES.
 - WHERE GRADY BANKS ARE PLACED IN CLOSE PROXIMITY TO THE WALL, THE CONTRACTOR SHOULD CONSIDER THE USE OF ECCENTRIC CONES IN ORDER TO MINIMIZE THE POSSIBLE IMPACT ON THE GEGRID LAYERS IN THE WALL.
 - RECOMMENDED COMPACTION EQUIPMENT WITHIN 15 FEET OF THE BACK OF THE WALL IS AS FOLLOWS:
0 - 4 FEET: HAND TAMP OR VIBRATORY PLATE COMPACTOR
4 - 15 FEET: NOTHING LARGER THAN TWO-DRUM, WALK-BEHIND VIBRATORY ROLLER (LARGER ROLLERS CAN BE USED STATICALLY, PROVIDED LIFT SIZE DOES NOT COMPROMISE ACHIEVEMENT OF NECESSARY COMPACTION RATES.)
15 FEET AND DEEPER: ROLLER WITH CONSIDERATION OF SEISMIC LOADINGS.
 - IF CONDITIONS ARE DIFFERENT THAN THOSE STATED IN THESE DRAWINGS AND SPECIFICATIONS, THE CONTRACTOR MUST CONTACT THE DESIGN ENGINEER PRIOR TO PROCEEDING WITH THE CONSTRUCTION OF THE WALL.

SCALE: NTS



7 VEGETATED OPEN SWALE

SCALE: NTS
XD_CIVIL_DRAINAGE_ROCK-LINED_SWALE 06-27-2016



8 PROPOSED RIPARIAN BUFFER PROFILE

SCALE: NTS

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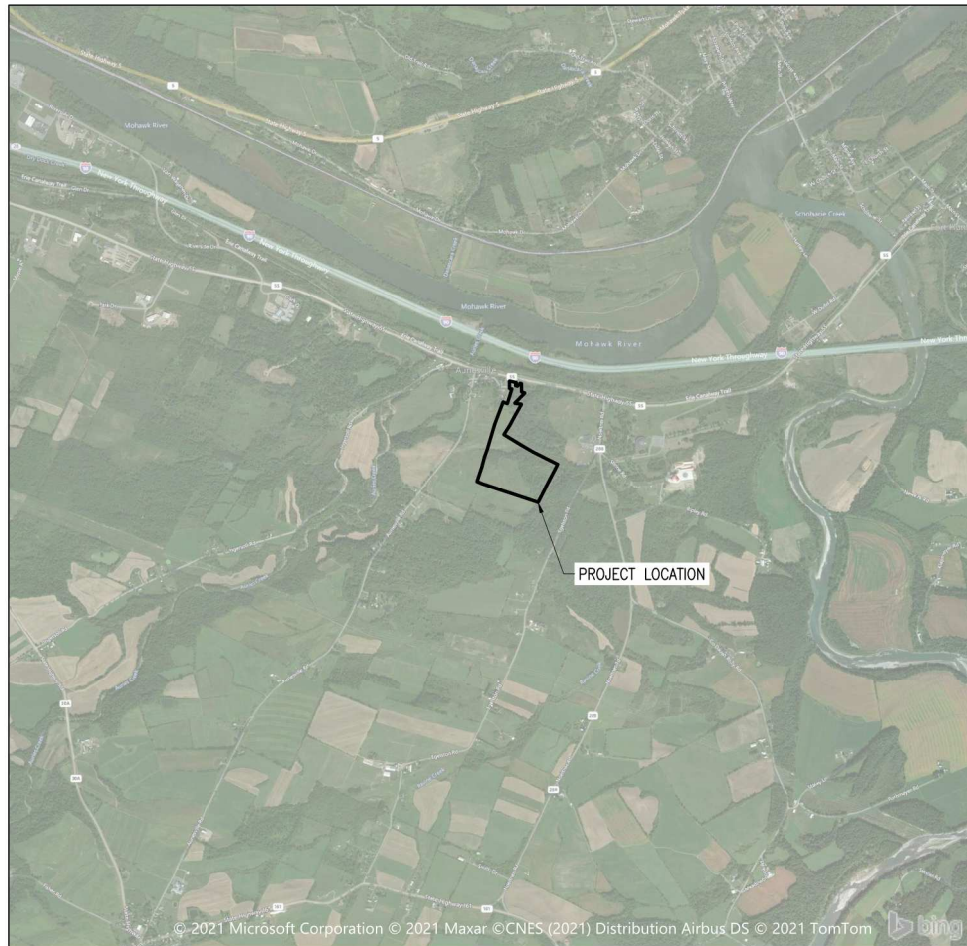
NYSDERA SUBMISSION
2621 STATE HIGHWAY 55 SOLAR PROJECT
2621 STATE HIGHWAY 55, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

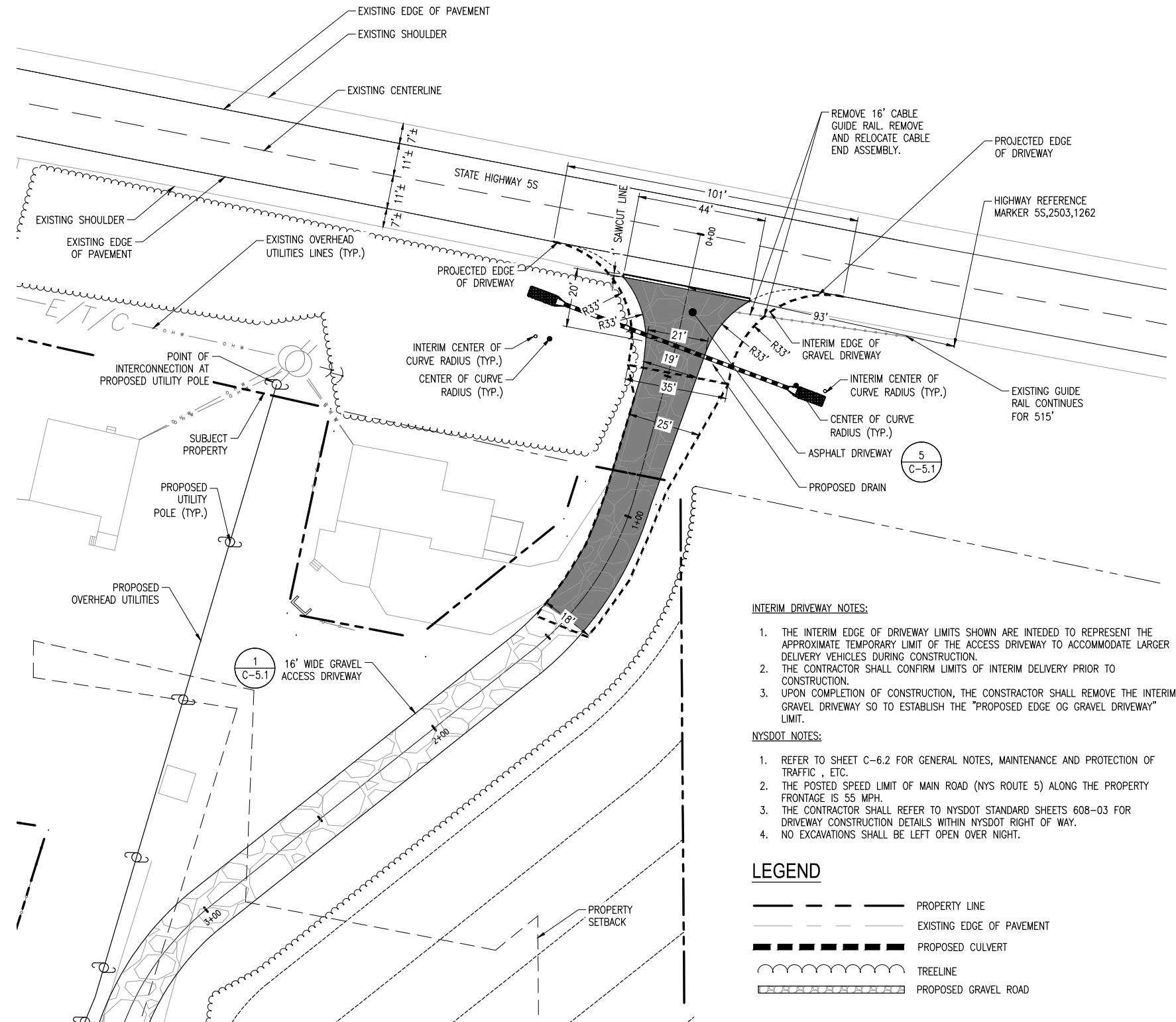
REV	DATE	DRWN	CHECKED	RELEASE LEVEL
	2/10/21	DC	GG	GG SITE USE PERMIT SET
	04/05/21	DC	GG	NYSDOT PERM 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

C-5.1
CIVIL DETAILS



SIGHT DISTANCES
EAST: >1400 FT
WEST: >1500 FT



GENERAL PLAN NOTES

1. ROAD TO BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
2. ROADSIDE DRAINAGE TO BE MAINTAINED AT ALL TIMES.
3. MATERIALS, EQUIPMENT AND VEHICLES ARE NOT TO BE STORED OR PARKED WITHIN THE NEW YORK STATE RIGHT-OF-WAY.
4. MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THE CURRENT NATIONAL MUTCD WITH NYS SUPPLEMENT, SECTION 619 OF THE CURRENT NYSDOT STANDARD SPECIFICATIONS. THESE PLANS AND AS ORDERED BY THE ASSISTANT RESIDENT ENGINEER. ON A NYSDOT CONSTRUCTION PROJECT, MAINTENANCE AND PROTECTION OF TRAFFIC MUST COMPLY WITH THESE PLANS AND BE IN ACCORDANCE WITH THE NYSDOT CONTRACT DOCUMENTS AS DEEMED NECESSARY BY THE ENGINEER-IN-CHARGE.
5. NOTIFY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S ASSISTANT RESIDENT ENGINEER AT THE NUMBER BELOW, THREE (3) WORK DAYS PRIOR TO WORKING WITHIN THE STATE RIGHT-OF-WAY. CLINT KING, (518)-853-3441.
6. ALL MATERIALS USED WITHIN THE RIGHT-OF-WAY MUST COMPLY WITH THE CURRENT NEW YORK STATE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS ALONG WITH ANY APPROPRIATE CURRENT NYS DEPARTMENT OF TRANSPORTATION STANDARD SHEETS.
7. QUALITY CONTROL OF ASPHALT CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 401 OF THE STANDARD SPECIFICATIONS. ALL ASPHALT PRODUCED AS PART OF SECTION 401 WILL BE PAID AT A FINAL QUANTITY ADJUSTMENT FACTOR 1.0. ASPHALT COURSE DEPTHS SHOWN ON THE PLANS ARE COMPACTED DEPTHS.
8. NO NIGHT WORK SHALL BE ALLOWED UNLESS APPROVED PRIOR TO START OF PROJECT. ADDITIONAL MAINTENANCE AND PROTECTION OF TRAFFIC MAY BE REQUIRED INCLUDING THE ADDITION OF REFLECTIVE MATERIALS AND LIGHTING.
9. HAZARDOUS WASTE NOTIFICATION - THE PERMITTEE ACCEPTS THE RIGHT-OF-WAY OF THE STATE HIGHWAY IN ITS "AS IS" CONDITION. THE DEPARTMENT OF TRANSPORTATION MAKES NO REPRESENTATION AS TO THE ABSENCE OF UNDERGROUND TANKS, STRUCTURES, FEATURES OR SIMILAR IMPEDIMENTS TO THE COMPLETION OF THE WORK PERMITTED HEREUNDER. SHOULD PERMITTEE FIND SOME PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS TO ITS WORK, THE DEPARTMENT OF TRANSPORTATION SHALL HAVE NO OBLIGATION TO CURE, REMOVE, REMEDY OR OTHERWISE DEAL WITH SUCH PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS. THE PERMITTEE IS REQUIRED TO REMOVE, MODIFY, OR OTHERWISE DEAL WITH SUCH UNDERGROUND TANKS, STRUCTURES, FEATURES OR IMPEDIMENTS IN A MANNER WHICH MEETS ACCEPTABLE ENGINEERING PRACTICE AND IS APPROVED BY THE DEPARTMENT OF TRANSPORTATION.
10. ROADWORK REPORTING FORM SHALL BE SUBMITTED 7 DAYS PRIOR TO ANY WORK.
11. ANY WORK ZONE INTRUSION SHALL BE REPORTED TO THE TMC, (315)-733-2111, AND THE POLICE IMMEDIATELY.
12. DIGSFE SHALL BE NOTIFIED PRIOR TO ANY EXCAVATION.

INTERIM DRIVEWAY NOTES:

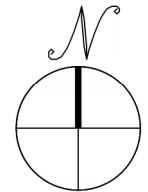
1. THE INTERIM EDGE OF DRIVEWAY LIMITS SHOWN ARE INTENDED TO REPRESENT THE APPROXIMATE TEMPORARY LIMIT OF THE ACCESS DRIVEWAY TO ACCOMMODATE LARGER DELIVERY VEHICLES DURING CONSTRUCTION.
2. THE CONTRACTOR SHALL CONFIRM LIMITS OF INTERIM DELIVERY PRIOR TO CONSTRUCTION.
3. UPON COMPLETION OF CONSTRUCTION, THE CONTRACTOR SHALL REMOVE THE INTERIM GRAVEL DRIVEWAY SO TO ESTABLISH THE "PROPOSED EDGE OF GRAVEL DRIVEWAY" LIMIT.

NYSDOT NOTES:

1. REFER TO SHEET C-6.2 FOR GENERAL NOTES, MAINTENANCE AND PROTECTION OF TRAFFIC, ETC.
2. THE POSTED SPEED LIMIT OF MAIN ROAD (NYS ROUTE 5) ALONG THE PROPERTY FRONTAGE IS 55 MPH.
3. THE CONTRACTOR SHALL REFER TO NYSDOT STANDARD SHEETS 608-03 FOR DRIVEWAY CONSTRUCTION DETAILS WITHIN NYSDOT RIGHT OF WAY.
4. NO EXCAVATIONS SHALL BE LEFT OPEN OVER NIGHT.

LEGEND

- — — — — PROPERTY LINE
- — — — — EXISTING EDGE OF PAVEMENT
- — — — — PROPOSED CULVERT
- — — — — TREELINE
- — — — — PROPOSED GRAVEL ROAD



DRIVEWAY LAYOUT PLAN

SCALE: 1" = 20'



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NYSDOT SUBMISSION
NYSDOT SUBMISSION
2621 STATE HIGHWAY 5S SOLAR PROJECT
2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

REV	DATE	DRWN	CHECKED	RELEASE LEVEL
	2/10/21	DC	GG	SITE USE PERMIT SET
	04/05/21	DC	GG	NYSDOT PERM 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

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C-6.0
DRIVEWAY LAYOUT PLAN

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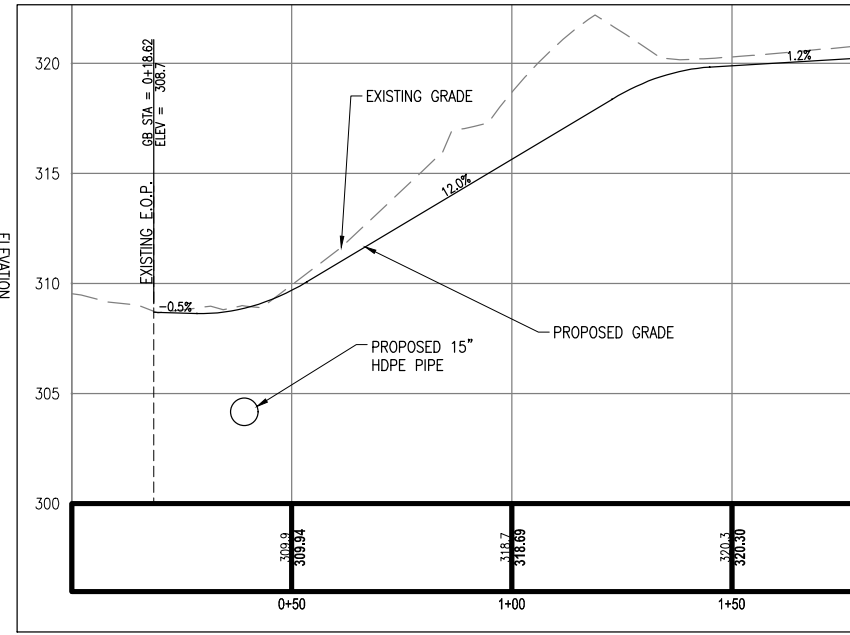
NYSDOT SUBMISSION
 NYSDOT SUBMISSION
 2621 STATE HIGHWAY 55 SOLAR PROJECT
 2621 STATE HIGHWAY 55, FULTONVILLE, NY, 12072

PROJECT NUMBER:
108-4862

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
	2/10/21	DC	GG	GG SITE USE PERMIT SET
	04/05/21	DC	GG	NYSDOT PERM 33-COM
	04/09/21	DC	GG	PLANNING BOARD SUBMISSION
	06/10/21	DC	GG	PLANNING BOARD SUBMISSION

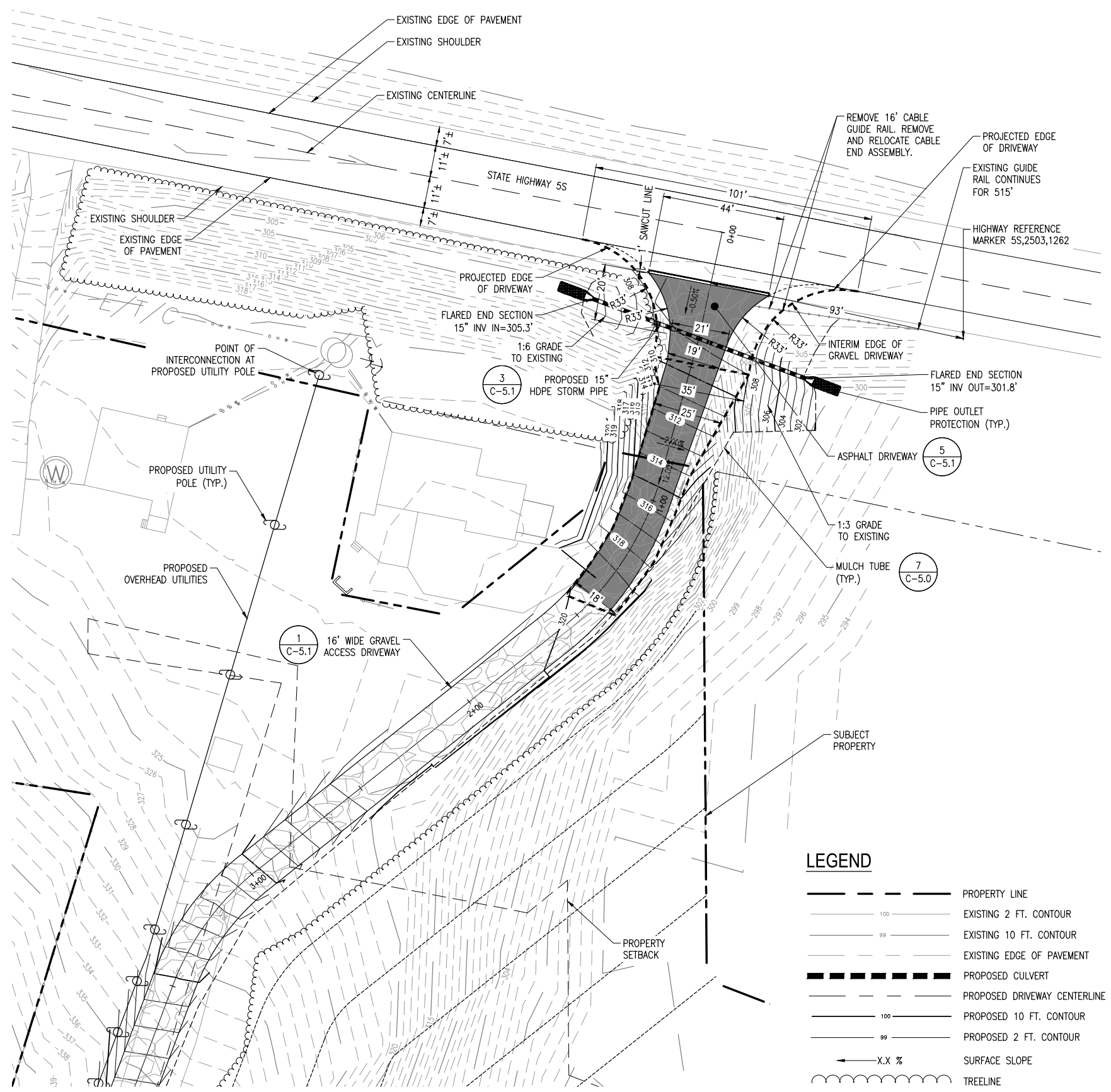
SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

C-6.1
DRIVEWAY GRADING & UTILITY PLAN



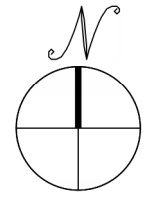
- NOTES:
- REFER TO SHEET C-6.0 FOR GENERAL HIGHWAY NOTES, MAINTENANCE AND PROTECTION OF TRAFFIC, ETC.
 - THE POSTED SPEED LIMIT OF MAIN ROAD (STATE HIGHWAY 55) ALONG THE PROPERTY FRONTAGE IS 55 MPH.
 - THE CONTRACTOR SHALL REFER TO NYSDOT STANDARD SHEETS 608-03 FOR DRIVEWAY CONSTRUCTION DETAILS WITHIN NYSDOT RIGHT OF WAY.
 - NO EXCAVATIONS SHALL BE LEFT OPEN OVER NIGHT.

- NYSDOT EARTHWORK, TOPSOIL, AND TURF SPECIFICATIONS
- EARTHWORK: PERFORM EXCAVATION & BACKFILL WITHIN NYSDOT RIGHT-OF-WAY ACCORDANCE WITH NYSDOT STANDARD SPECIFICATION SECTION 200 (TYP.)
 - NYSDOT TOPSOIL: TOPSOIL PLACED WITHIN RIGHT-OF-WAY SHALL CONFORM TO NYSDOT ITEM# 610.14X
 - ESTABLISH TURF: GRASS TURF ESTABLISHMENT WITHIN NYSDOT RIGHT-OF-WAY SHALL CONFORM TO NYSDOT ITEM# 610.16X



LEGEND

---	PROPERTY LINE
100	EXISTING 2 FT. CONTOUR
99	EXISTING 10 FT. CONTOUR
---	EXISTING EDGE OF PAVEMENT
---	PROPOSED CULVERT
---	PROPOSED DRIVEWAY CENTERLINE
100	PROPOSED 10 FT. CONTOUR
99	PROPOSED 2 FT. CONTOUR
X.X %	SURFACE SLOPE
~~~~~	TREELINE
-----	PROPOSED GRAVEL ROAD



**DRIVEWAY GRADING & UTILITY PLAN**

SCALE: 1" = 20'





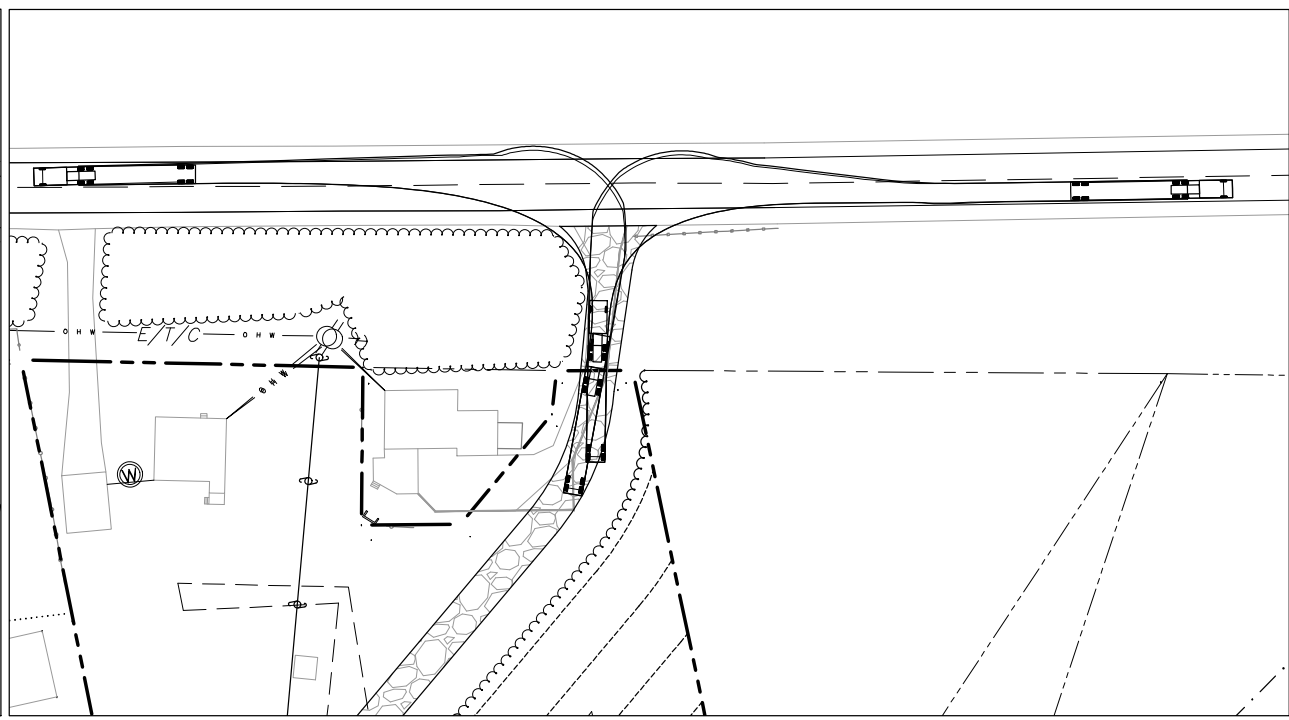
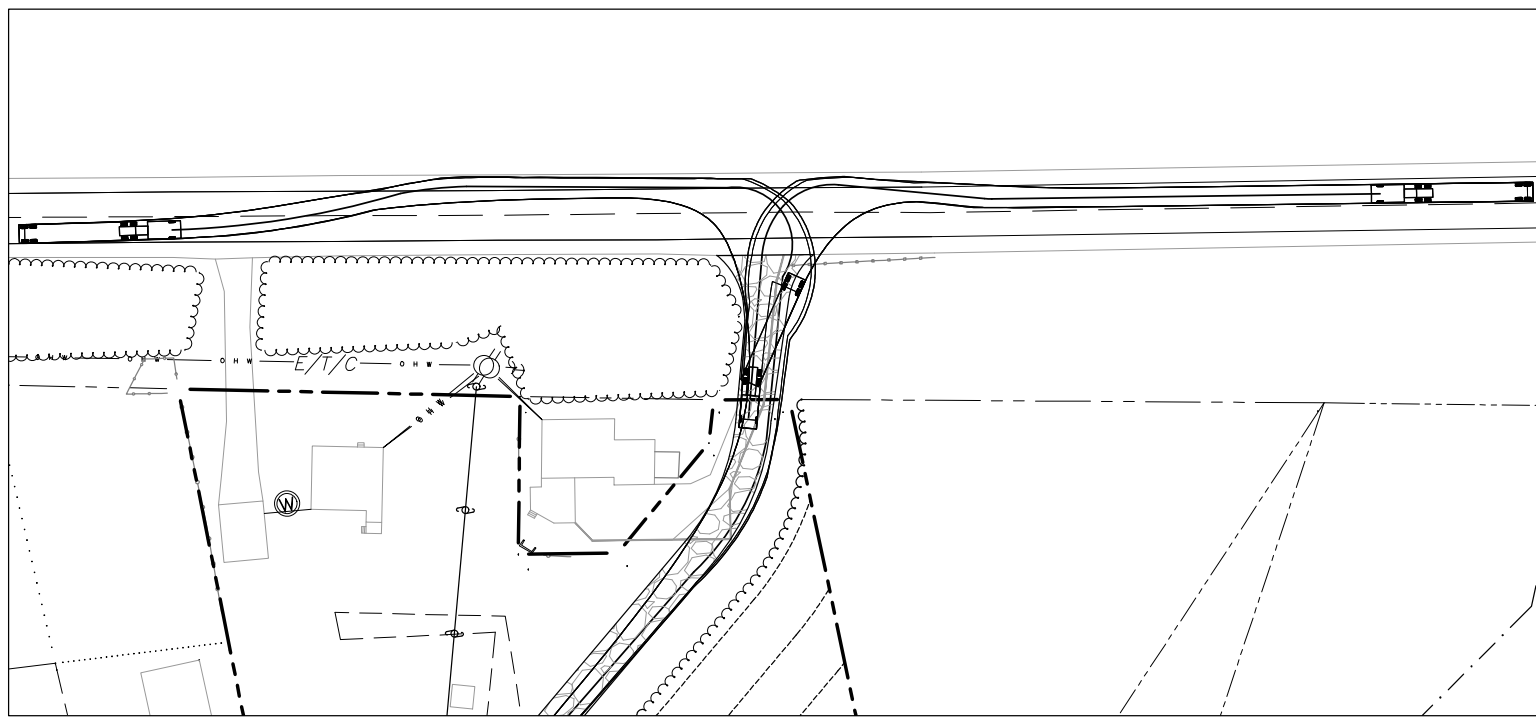
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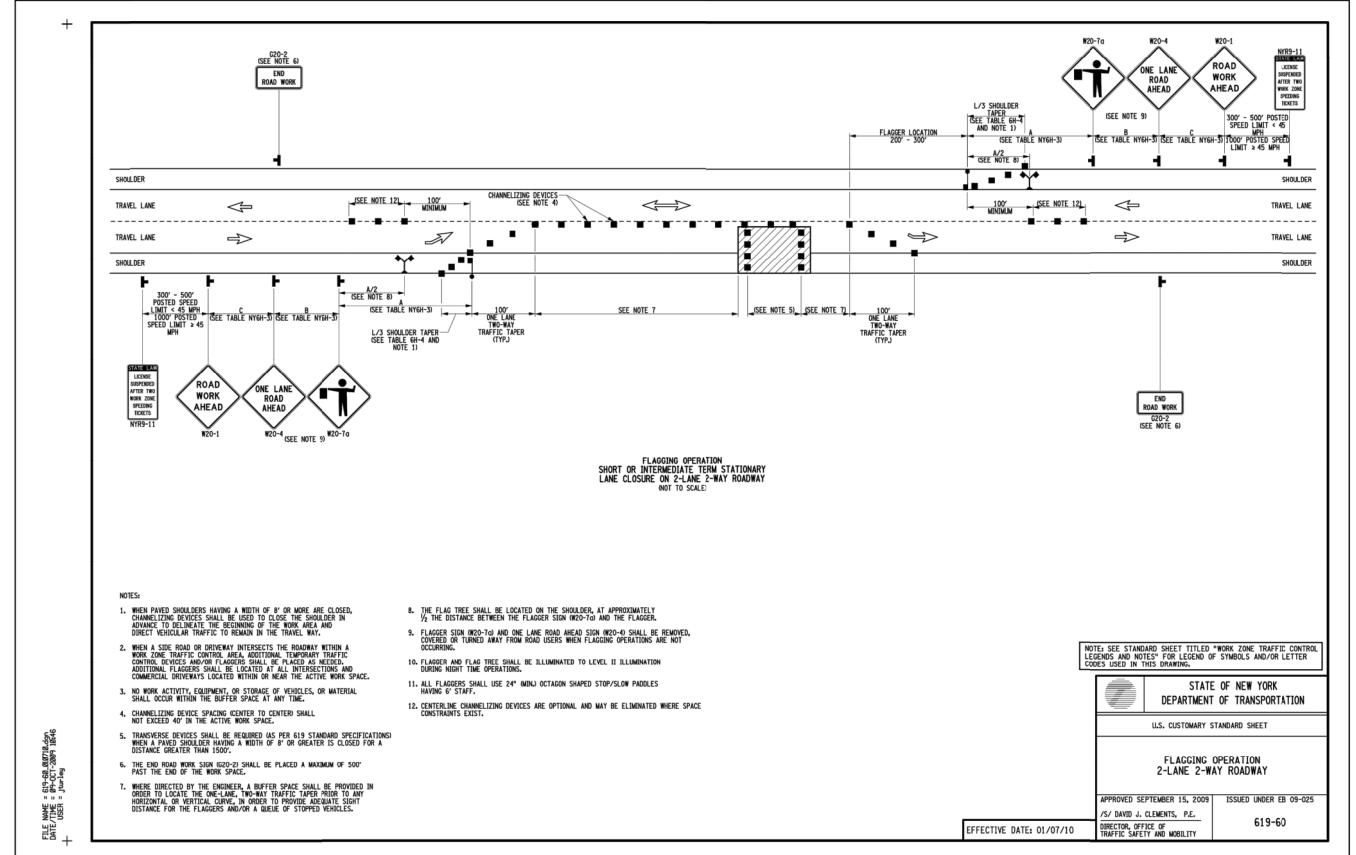
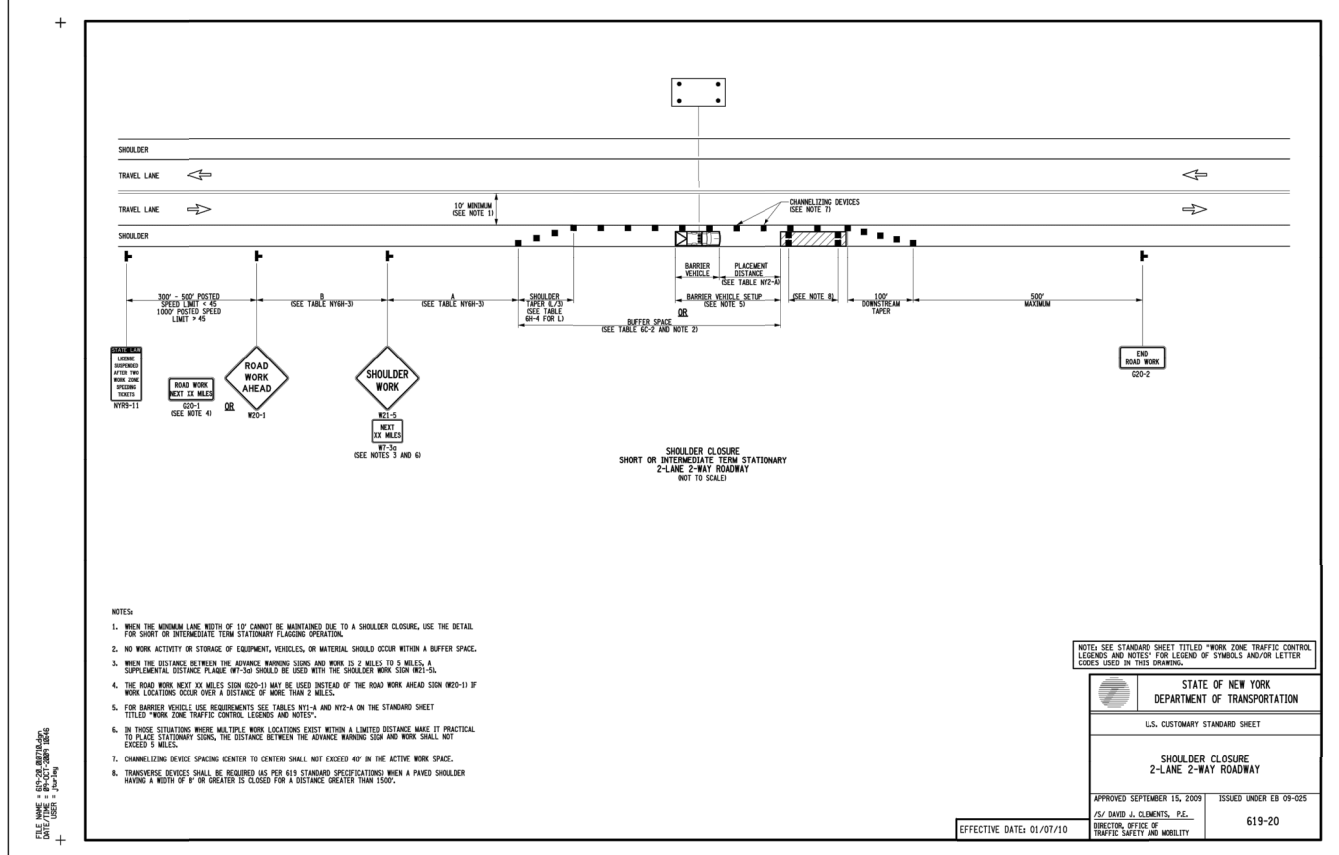
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1 TURNING RADIUS PLAN - WB-67 VEHICLE ENTERING SITE  
SCALE: 1" = 40'  
NOTE:  
1. FLAGGERS WILL CONTROL TRAFFIC ON ROUTE 5S FOR INCOMING AND OUTGOING LARGE DELIVERY TRUCKS.

2 TURNING RADIUS PLAN - WB-67 VEHICLE EXITING SITE  
SCALE: 1" = 40'  
NOTE:  
1. FLAGGERS WILL CONTROL TRAFFIC ON ROUTE 5S FOR INCOMING AND OUTGOING LARGE DELIVERY TRUCKS.



DRIVEWAY DETAILS (2 OF 2)  
SCALE: AS SHOWN

NY/SDRA SUBMISSION  
2621 STATE HIGHWAY 5S SOLAR PROJECT  
2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:  
108-4862

REV	DATE	DESCRIPTION	CHECKED	RELEASE LEVEL
2/10/21	DC	GG SITE USE PERMIT SET	GG	GG
04/05/21	DC	GG NYSDOT PERM 33-COM	GG	GG
04/09/21	DC	GG PLANNING BOARD SUBMISSION	GG	GG
06/10/21	DC	GG PLANNING BOARD SUBMISSION	GG	GG

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C-6.3  
DRIVEWAY DETAILS  
(2 OF 2)

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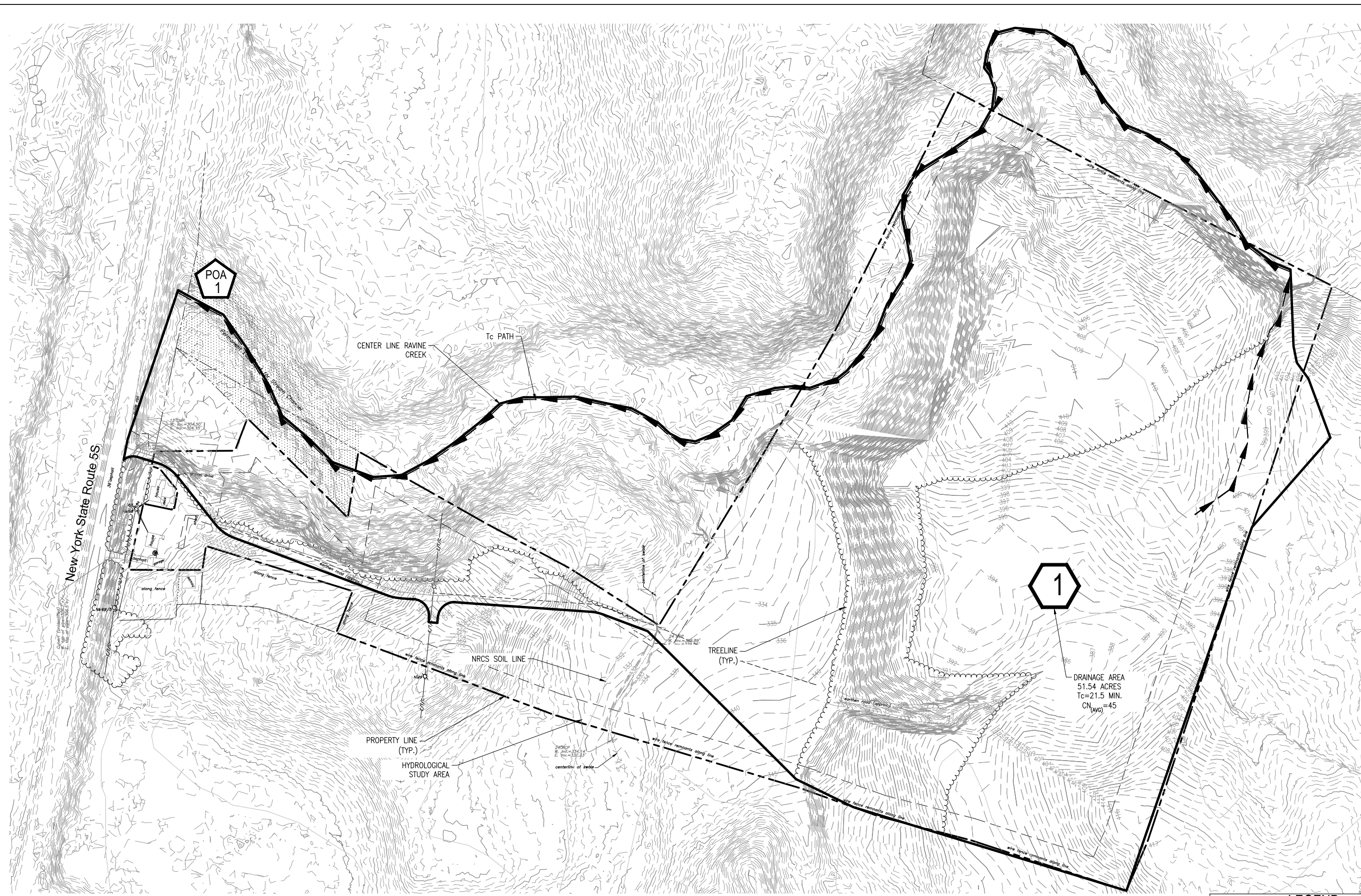
NYSDER SUBMISSION  
2621 STATE HIGHWAY 5S SOLAR PROJECT  
2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:  
108-4862

REV	DATE	DESCRIPTION
1	02/10/21	DC SITE USE PERMIT SET
2	04/05/21	DC NYSDDOT PERM 33-COM
3	04/09/21	DC PLANNING BOARD SUBMISSION
4	06/10/21	DC PLANNING BOARD SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

W-1.0  
PRE-DEVELOPMENT PLAN



1  
DRAINAGE AREA  
51.54 ACRES  
Tc=21.5 MIN.  
CN(AVG)=45

New York State Route 5S

POA 1

CENTER LINE RAVINE CREEK

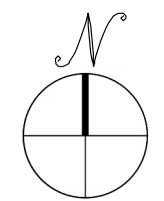
Tc PATH

NRCS SOIL LINE

TREELINE (TYP.)

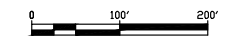
PROPERTY LINE (TYP.)

HYDROLOGICAL STUDY AREA



PRE-DEVELOPMENT PLAN

SCALE: 1" = 100'



LEGEND

- SUBCATCHMENT LINE
- SUBCATCHMENT AREA
- POINT OF ANALYSIS
- TC PATH

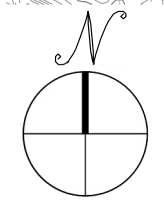
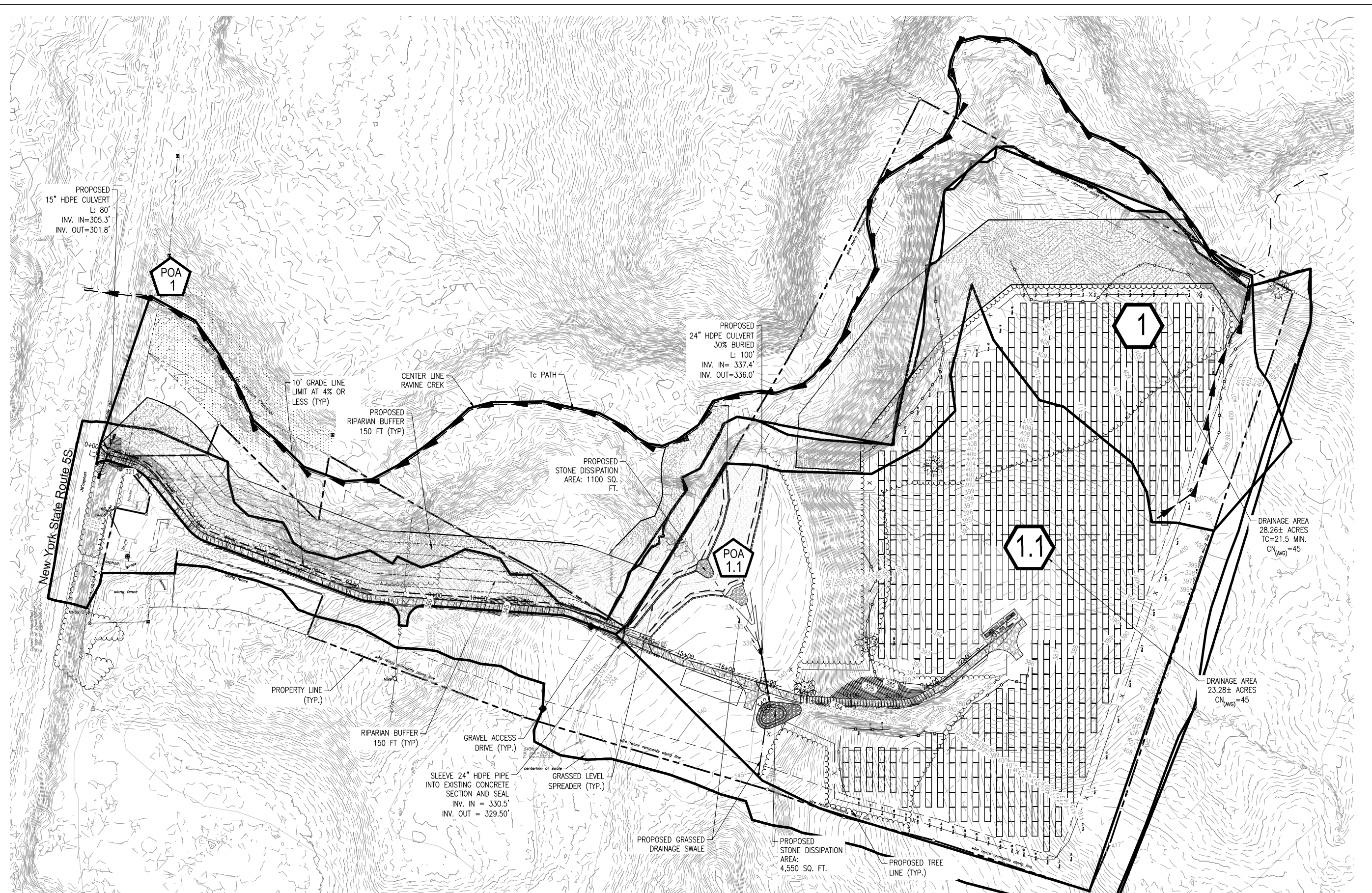
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NYSDORA SUBMISSION  
 NYSERDA SUBMISSION  
 2621 STATE HIGHWAY 5S SOLAR PROJECT  
 2621 STATE HIGHWAY 5S, FULTONVILLE, NY, 12072

PROJECT NUMBER:  
 108-4862

REV	DATE	DESC	CHECKED	RELEASE LEVEL
	2/10/21	GG SITE USE PERMIT SET	GG	
	04/05/21	GG NYSDDOT PERM 33-COM	GG	
	04/09/21	GG PLANNING BOARD SUBMISSION	GG	
	06/10/21	GG PLANNING BOARD SUBMISSION	GG	



**POST DEVELOPMENT PLAN**

SCALE: 1" = 100'

**LEGEND**

- SUBCATCHMENT LINE
- SUBCATCHMENT AREA
- POINT OF ANALYSIS
- TC PATH

**SHEET NOTES**

**GENERAL PLACARD NOTES:**

- NOT ALL PLACARDS DESCRIBED IN THESE NOTES MAY APPLY TO THIS PROJECT.
- ELECTRICAL SUBCONTRACTOR SHALL PROVIDE ALL PLACARDS AS REQUIRED BY THE NEC, LOCAL FIRE DEPARTMENT, THE AUTHORITY HAVING JURISDICTION, AND LOCAL UTILITY REQUIREMENTS. PLACARDS IN ADDITION TO THOSE SHOWN HERE MAY BE REQUIRED BY THE NEC AND ARE THE RESPONSIBILITY OF THE ELECTRICAL SUBCONTRACTOR.
- PLACARDS SHALL USE ARIAL OR SIMILAR FONT, NON-BOLD.
- FONT SIZES SHALL BE THE MINIMUM SHOWN IN THESE DRAWINGS.
- PLACARDS SHALL HAVE LETTERING IN CAPITAL LETTERS.
- PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANSI Z535.4-2011.
- PLACARDS SHALL BE ADHERED WHEN POSSIBLE AND MEET WITH UL969 STANDARDS. IF MECHANICALLY AFFIXED TO EQUIPMENT, USE RIVETS OR SCREWS. SEALANTS AND GASKETED HARDWARE SHALL BE USED TO MAINTAIN EQUIPMENT LISTINGS WHERE REQUIRED. NEMA 4R EQUIPMENT SHALL NOT BE DRILLED.
- SUBMITTALS REQUIRED FOR PLACARDS AND FOR ADHESIVES USED TO SECURE PLACARDS TO EQUIPMENT.
- PLACARDS WITH MOUNTING HOLES SHOULD BE 1/8" THICKNESS AND HOLES SHOULD BE 1/2" INSIDE FROM THE EDGE.

**EQUIPMENT ID PLACARDS:**

- SUBCONTRACTOR SHALL LABEL ALL ARRAYS, PULL BOXES, JUNCTION BOXES, COMBINER BOXES, DC SAFETY SWITCHES, CIRCUIT BREAKER SAFETY SWITCHES, MULTIPLE DISCONNECT SAFETY SWITCHES, DC CONTACTOR DISCONNECTS, REMOTE PV TIES, BI-POLAR ARRAY COMBINERS, INVERTERS, AC SAFETY SWITCHES, TRANSFORMERS, PANELBOARDS, CIRCUIT BREAKERS, SWITCHGEAR, RECTIFIERS, DATA MONITORING ENCLOSURES, AND METERING CABINETS. A PARTIAL LIST OF PLACARDS IS SHOWN HERE.
- EQUIPMENT ID PLACARDS - THE FIRST TYPE OF EACH REQUIRED EQUIPMENT ID PLACARD IS SHOWN HERE. ELECTRICAL SUBCONTRACTOR SHALL GENERATE PLACARDS FOR EACH PIECE OF EQUIPMENT AND NUMBER ALL EQUIPMENT PER THE NAMING AND NUMBERING CONVENTION DEFINED IN THESE PLANS.
- ARRAY ID PLACARD - SHALL BE AFFIXED TO THE REAR CORNERS OF EACH ARRAY AND NUMBERED PER PLANS. IF ATTACHING TO MODULE FRAME ADHESIVE SHALL BE USED; DO NOT DRILL OR RIVET THE MODULE FRAMES.

V17

NOT FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON TO ALTER ANY DOCUMENT WHICH BEARS THE SEAL OF A PROFESSIONAL ENGINEER, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER.

NYSDORA SUBMISSION  
 2621 STATE HIGHWAY 55 SOLAR PROJECT  
 2621 STATE HIGHWAY 55, FULTONVILLE, NY, 12072

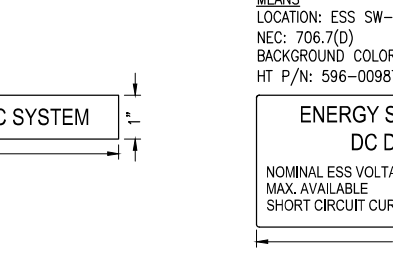
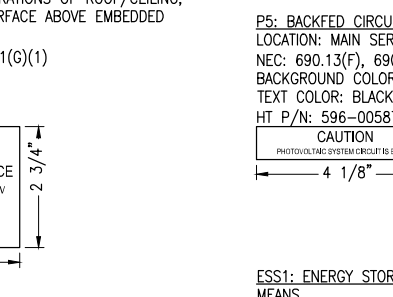
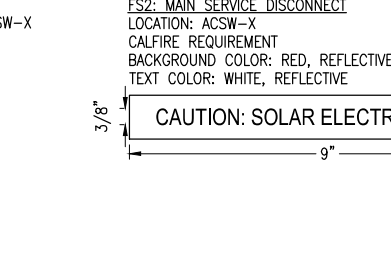
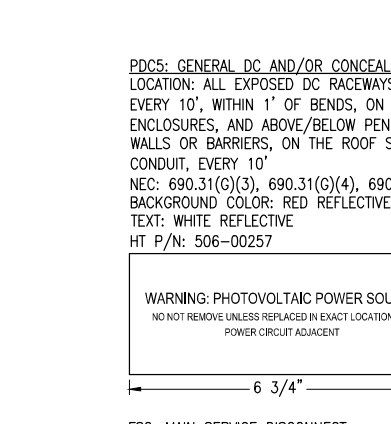
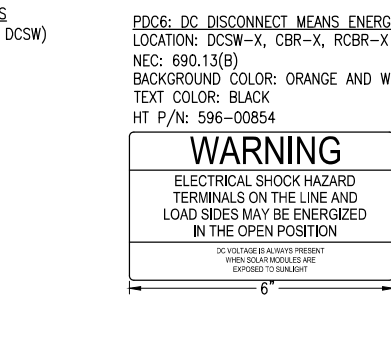
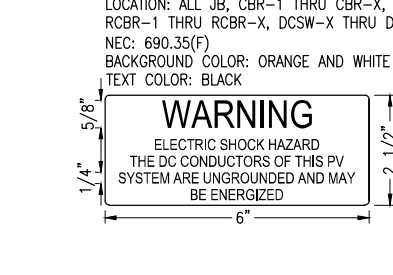
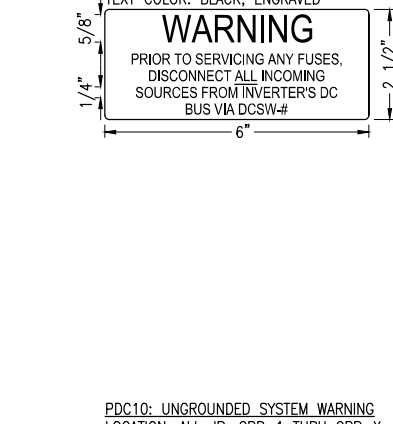
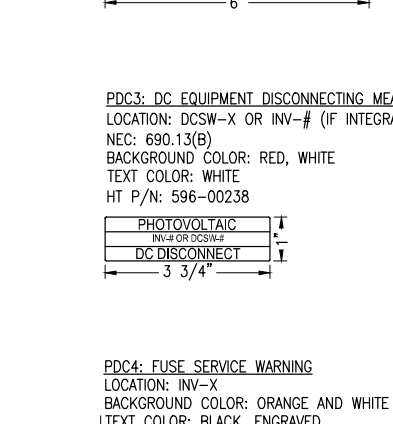
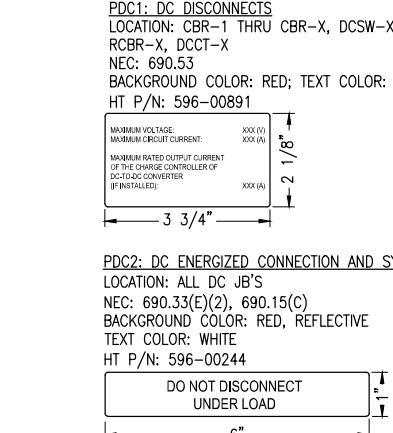
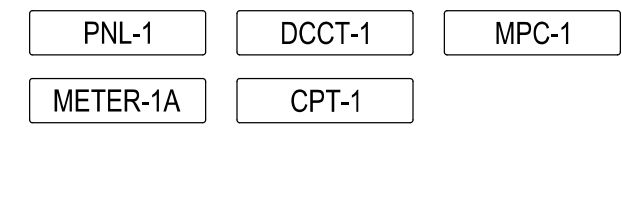
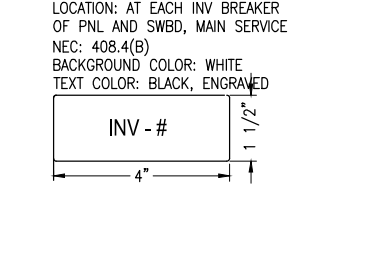
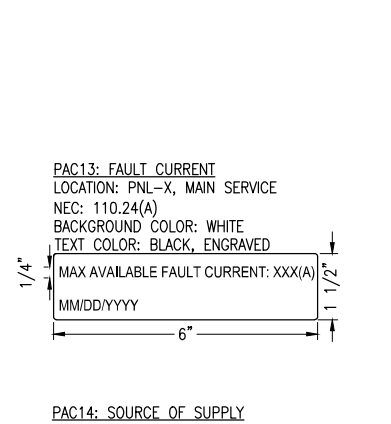
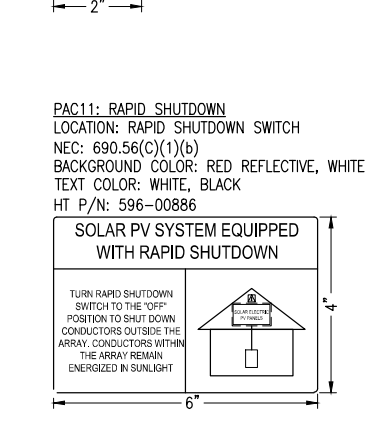
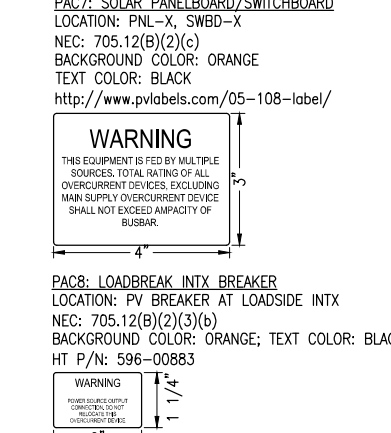
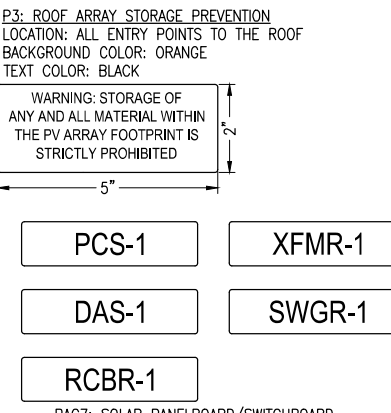
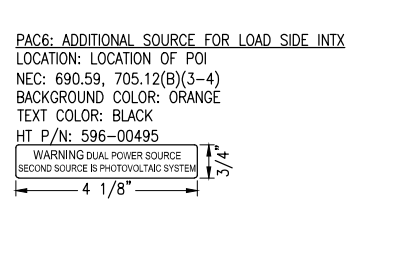
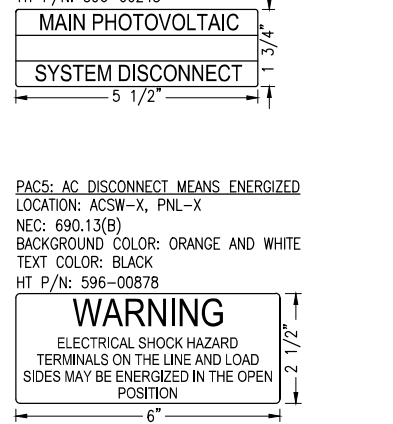
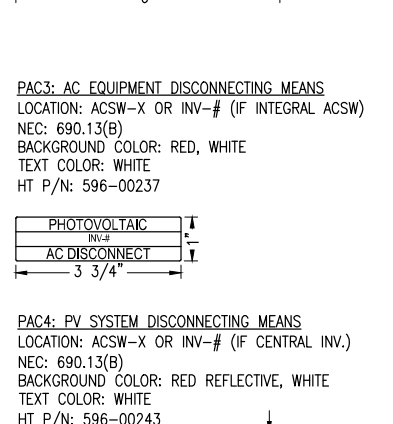
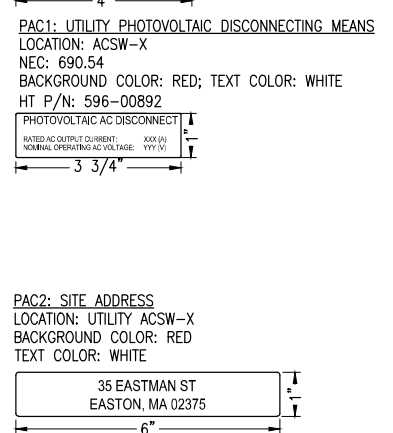
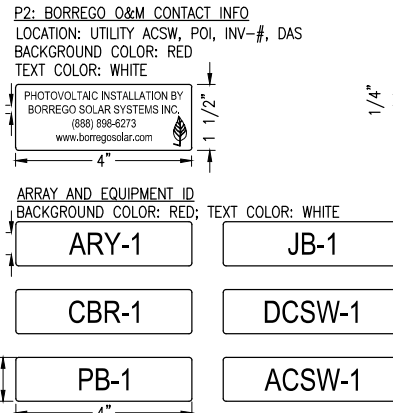
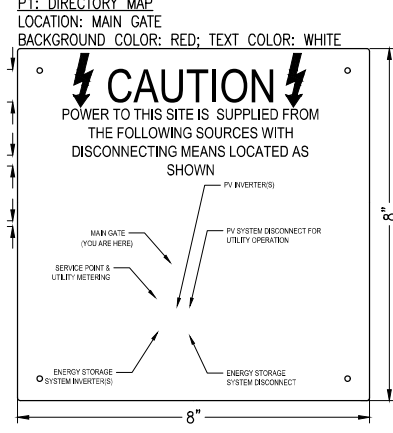
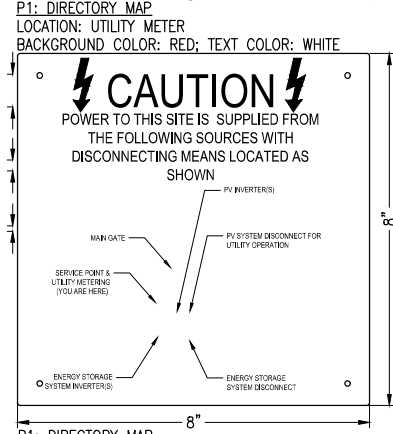
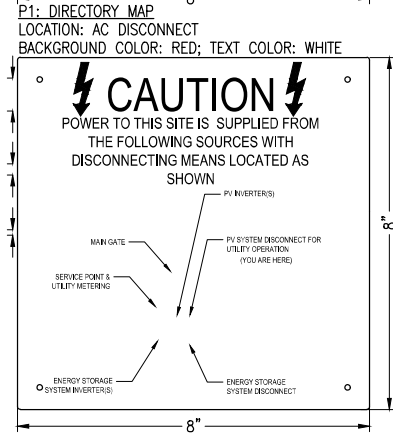
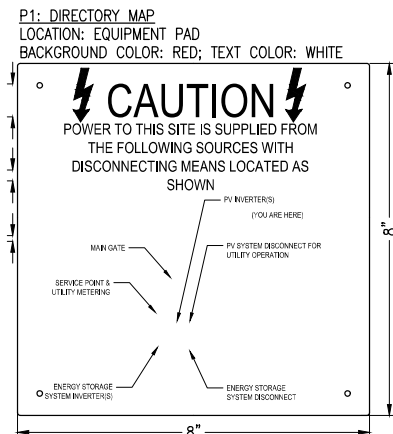
PROJECT NUMBER:  
108-4862

REV	DATE	BY	CHKD	RELEASE LEVEL
2/10/21	DC	GG	GG	SITE USE PERMIT SET
04/05/21	DC	GG	GG	INSDOT PERM 33-COM
04/09/21	DC	GG	GG	PLANNING BOARD SUBMISSION
06/10/21	DC	GG	GG	PLANNING BOARD SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

**E-6.0**  
PLACARDS

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**Appendix B**

**SPDES General Permit  
GP-0-20-001**



Department of  
Environmental  
Conservation

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT  
FOR STORMWATER DISCHARGES

From

**CONSTRUCTION ACTIVITY**

Permit No. GP- 0-20-001

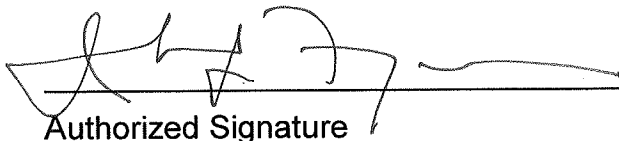
Issued Pursuant to Article 17, Titles 7, 8 and Article 70  
of the Environmental Conservation Law

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator



Authorized Signature

1-23-20

Date

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

## PREFACE

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

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

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

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

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## Part 1. PERMIT COVERAGE AND LIMITATIONS

### A. Permit Application

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

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

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

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

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

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

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

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

### c. Sizing Criteria for Redevelopment Activity

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

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

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



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

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

**D. Maintaining Water Quality**

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

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

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

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

## **E. Eligibility Under This General Permit**

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

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

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

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

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

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

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

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

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.
9. *Discharges from construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

## Part II. PERMIT COVERAGE

### A. How to Obtain Coverage

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

## B. Notice of Intent (NOI) Submittal

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

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

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

## C. Permit Authorization

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

#### A. General SWPPP Requirements

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

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

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

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

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

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

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

## **B. Required SWPPP Contents**

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

### C. Qualified Inspector Inspection Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **A. Record Retention**

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

### **B. Addresses**

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

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

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

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



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

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

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

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

#### **C. Enforcement**

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

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

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

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

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

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

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

### **G. Other Information**

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

### **H. Signatory Requirements**

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

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

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

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

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

## **I. Property Rights**

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

## **J. Severability**

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **O. Definitions**

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

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

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

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

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

**R. Other Permits**

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

## **APPENDIX A – Acronyms and Definitions**

### **Acronyms**

APO – Agency Preservation Officer

BMP – Best Management Practice

CPESC – Certified Professional in Erosion and Sediment Control

Cpv – Channel Protection Volume

CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)

DOW – Division of Water

EAF – Environmental Assessment Form

ECL - Environmental Conservation Law

EPA – U. S. Environmental Protection Agency

HSG – Hydrologic Soil Group

MS4 – Municipal Separate Storm Sewer System

NOI – Notice of Intent

NOT – Notice of Termination

NPDES – National Pollutant Discharge Elimination System

OPRHP – Office of Parks, Recreation and Historic Places

Qf – Extreme Flood

Qp – Overbank Flood

RRv – Runoff Reduction Volume

RWE – Regional Water Engineer

SEQR – State Environmental Quality Review

SEQRA - State Environmental Quality Review Act

SHPA – State Historic Preservation Act

SPDES – State Pollutant Discharge Elimination System

SWPPP – Stormwater Pollution Prevention Plan

TMDL – Total Maximum Daily Load

UPA – Uniform Procedures Act

USDA – United States Department of Agriculture

WQv – Water Quality Volume



## Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## APPENDIX B – Required SWPPP Components by Project Type

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

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

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

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

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

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

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

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

Table 2 (Continued)

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

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

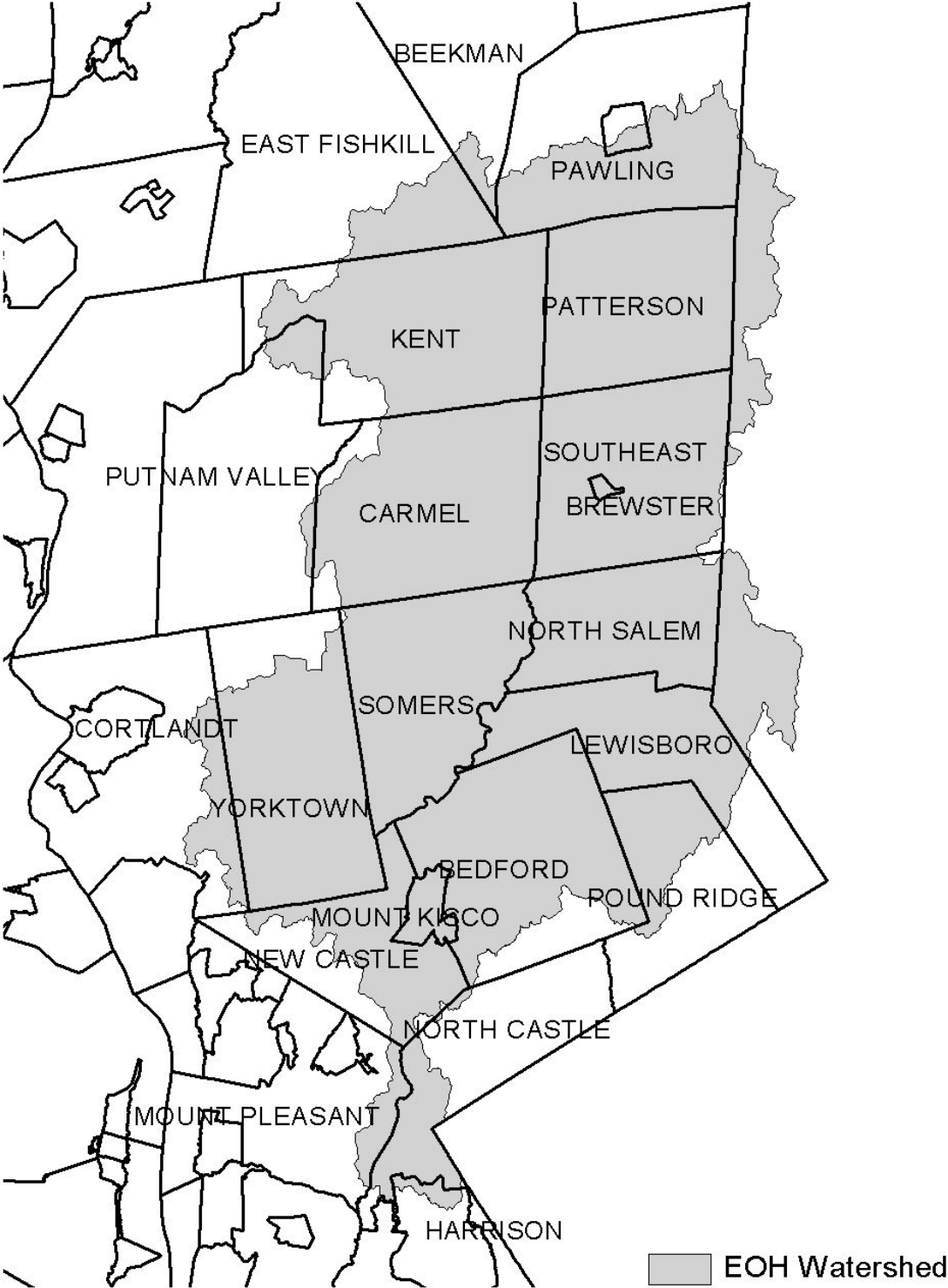
- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post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

## APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

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

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

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



**Figure 2 - Onondaga Lake Watershed**

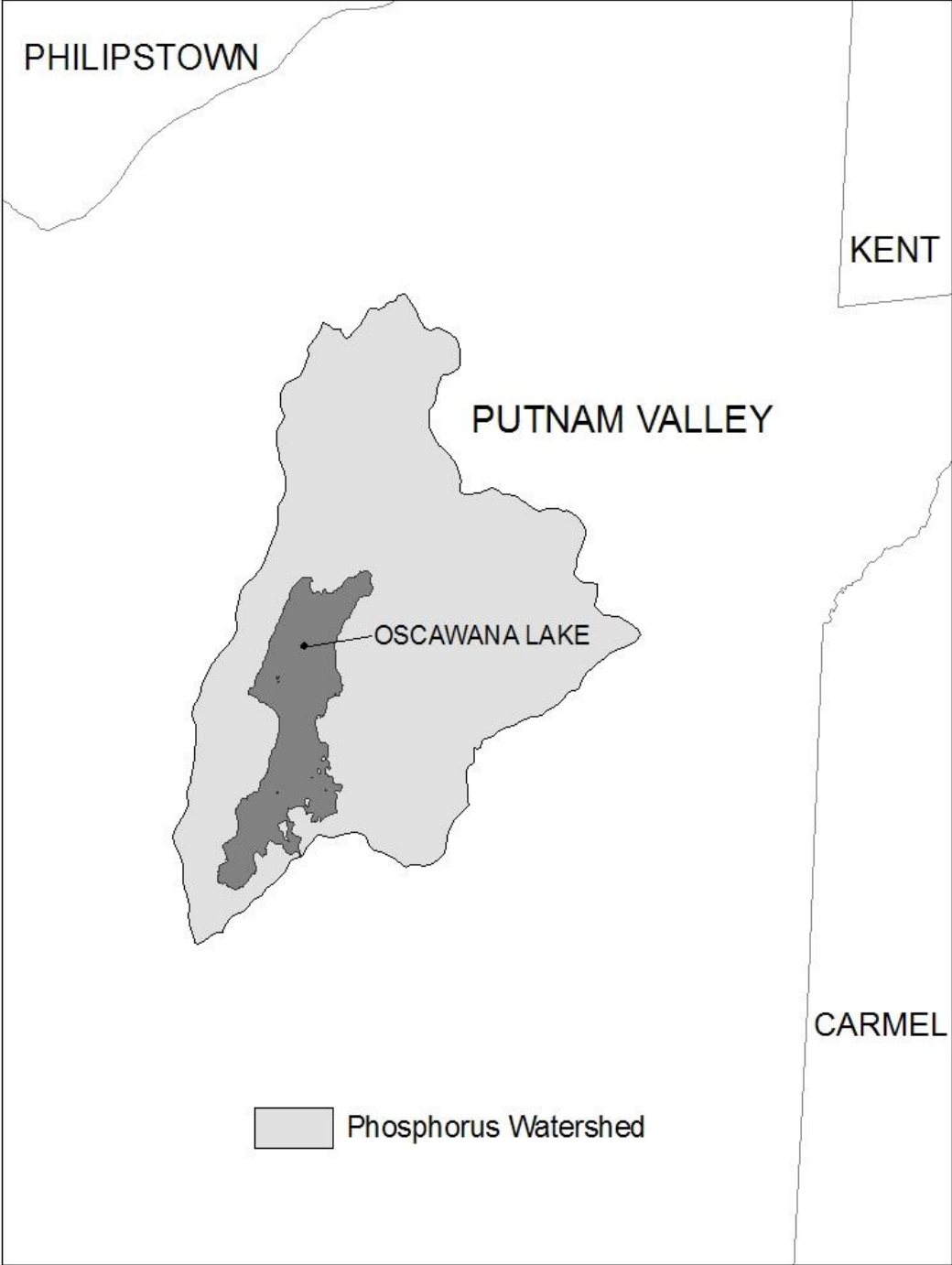


**Figure 3 - Greenwood Lake Watershed**

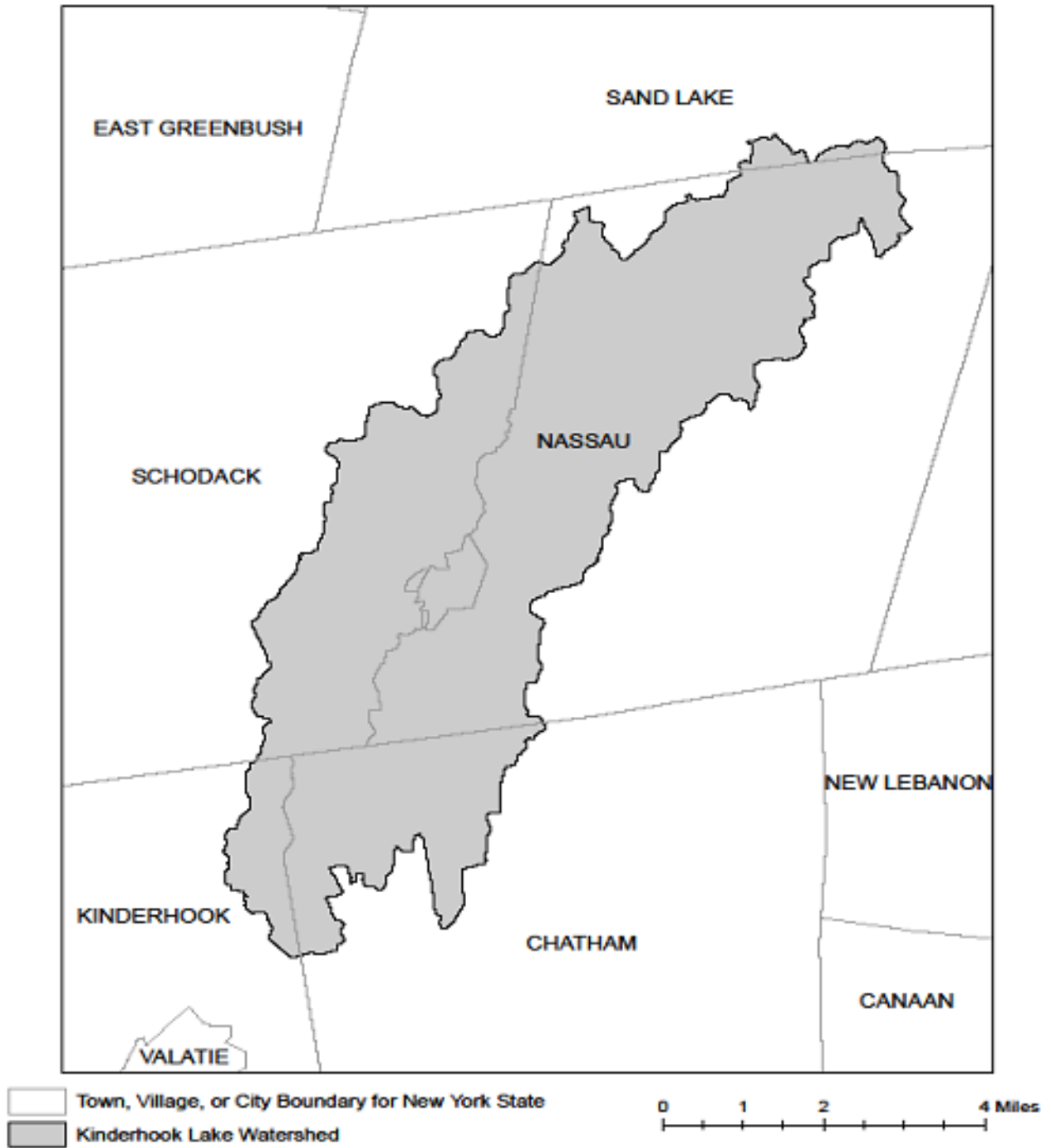




**Figure 4 - Oscawana Lake Watershed**



**Figure 5 - Kinderhook Lake Watershed**



## **APPENDIX D – Watersheds with Lower Disturbance Threshold**

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

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

## APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

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

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

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

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

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

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

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

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

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

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



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

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

## APPENDIX F – List of NYS DEC Regional Offices

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