

Village of Menands
MCM 7 Stormwater Program Management
BMP 7- 7 Procedures and Forms Compendium

Table of Contents

NOTE: Throughout this document there are references to Best Management Practices (BMPs) which are described in greater detail in the Coalition Joint Storm Water Management Program Plan (SWMP Plan). The SWMP Plan is posted on the Coalition website (www.stormwateralbanycounty.org).

I. Village Facts

- A. CDRPC Fact Sheets

II. Administrative Information

- A. Stormwater Management Program Organizational Chart (BMP 7-2 Local MS4/Municipal Mgmt)
- B. Enforcement Measures and Tracking – Enforcement Plan (Anticipated in MS4 Permit GP 0-17-002)
(BMP 3-8 IDDE Program and BMP 4-5 Construction Enforcement Procedures)

Attachments:

Chapter 143 Stormwater Mgmt & Erosion & Sediment Control “Construction Activity Local Law”
Chapter 144 Storm Sewers “IDDE Local Law”

III. MCM 3 Illicit Discharge Detection & Elimination Program Procedures (BMP 3-8 IDDE Program Procedures)

Information and Background

- A. Identification of areas contributing to the MS4 with high illicit discharge potential
- B. Detection of illicit discharges
- C. Track down to identify source of illicit discharges
- D. Procedures to eliminate discharges
- E. Acronyms and Definitions
- F. Chapter 13 Tracking Discharges To A Source (excerpt EPA IDDE Guidance Manual)

IV. MCM 4/5: MS4 Oversight of Construction Activity Permit

- A. SWPPP Review Procedures and Check List (BMP 4-2 and 5-1 SWPPP Review Procedures)

Attachments:

Chapter 140 Site Plan Review

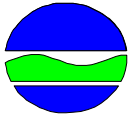
Chapter A172 Site Plan Review Regulations

*SW Coalition Oversight of the New York State Department of Environmental Conservation
Construction Activity Permit (GP-0-15-002) – A Guidance Document for MS4s*

Construction Activity Permit Forms and Permit GP-0-15-002

- B. Complaint Procedures (BMP 4-4 Complaint Procedures)
- C. Construction Inspection Procedures (BMP 4-5 Construction Inspection Procedures)
- D. Pre-Construction Meeting Procedures and Check List (BMP 4-6 Education Construction Procedures)
- E. SWPPP Record Keeping Procedures (BMP 4-8 SWPPP Record Keeping Procedures)
- F. Inventory Post Construction Procedures (BMP 5-8 Inventory Procedures)
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(BMP 5-9 Long Term Maintenance and O & M Procedures)

NOTICE OF INTENT



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

NYR
(For DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-15-002
All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

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

Owner/Operator Information

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

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Owner/Operator Contact Person First Name

Owner/Operator Mailing Address

City

State Zip -

Phone (Owner/Operator) - - Fax (Owner/Operator) - -

Email (Owner/Operator)

FED TAX ID - (not required for individuals)

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

**Pre-Development
Existing Land Use**

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

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**Post-Development
Future Land Use**

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

Number of Lots

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

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

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area																				
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5. Do you plan to disturb more than 5 acres of soil at any one time? Yes No

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

<p>A</p> <table border="1" style="width: 40px; height: 25px;"> <tr> <td></td><td></td><td></td> </tr> </table> <p>%</p>				<p>B</p> <table border="1" style="width: 40px; height: 25px;"> <tr> <td></td><td></td><td></td> </tr> </table> <p>%</p>				<p>C</p> <table border="1" style="width: 40px; height: 25px;"> <tr> <td></td><td></td><td></td> </tr> </table> <p>%</p>				<p>D</p> <table border="1" style="width: 40px; height: 25px;"> <tr> <td></td><td></td><td></td> </tr> </table> <p>%</p>			

7. Is this a phased project? Yes No

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

<p>Start Date</p> <table border="1" style="width: 60px; height: 25px;"> <tr> <td></td><td></td><td></td><td></td><td></td> </tr> </table>						/	/	<table border="1" style="width: 60px; height: 25px;"> <tr> <td></td><td></td><td></td><td></td><td></td> </tr> </table>						-	/	/	<table border="1" style="width: 60px; height: 25px;"> <tr> <td></td><td></td><td></td><td></td><td></td> </tr> </table>					

Post-construction Stormwater Management Practice (SMP) Requirements

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

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

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

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

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

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

Total WQv Required

. acre-feet

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

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

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

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

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

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

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

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

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

WQv Provided

						
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QUESTIONS & ANSWERS

For

eNOI

FOR

**SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH
CONSTRUCTION ACTIVITY**

GP-0-10-001

**September 2014
VERSION 2.0**

Should we set up a company business account if there are more than one person who may be working on submitting NOI's?

At this time, Personal Accounts are recommended. Users may create a Personal Account using their business email address.

Has the system been beta tested?

The NYSDEC eForm system was tested by both by DEC employees and external users. As this is a new system, additional bugs may be found and fixed.

Many private firms have a secure FTP site. This allows sharing of work with the client/owner. Could the client/owner who signs the NOI just electronically sign the forms on the FTP site and not bother with getting on the NYSDEC site to register?

In order to be complete, the eNOI must include a completed and signed Owner/Operator Certification Form. This form can be downloaded directly from the eNOI or from the construction stormwater webpage under Forms: <http://www.dec.ny.gov/chemical/43133.html>.

The eNOI preparer must have the Owner/Operator complete and sign this form and then return it to them for uploading to the eNOI.

Can we print NOI before it is submitted?

Yes. By clicking on the "View" icon on the Submission History page, users can print, download, copy, open in a new window and manage access to eNOIs that have not been submitted as well as perform post-submission actions.

Do you have to print and sign preparer certification form each time or can we use the same signed form for multiple projects?

The SWPPP preparer certification certifies that a SWPPP has been developed for the specific project and has been prepared in accordance with the terms and conditions of GP-0-10-001. This requires a separate certification for each project.

Will NOT's be included as well in the future?

The Department intends to continue to work to improve and expand the capabilities of the electronic reporting system. Eventually, once EPA finalizes the eReporting Rule, all submissions will need to be submitted electronically.

Does the eNOI allow for attachment of the MS4 SWPPP Acceptance form?

Yes. The eNOI will allow you to upload a scanned version of the completed & signed MS4 SWPPP Acceptance form.

How does the MS4 Acceptance Form get processed/handled?

If the project is subject to the requirements of a regulated, traditional land use control MS4, a completed MS4 Acceptance Form that has been signed by the principal executive officer or ranking elected official from the regulated, traditional land use control MS4. The eNOI will allow you to upload a scanned version of the completed and signed certification. The Department will review the submission and confirm that projects within regulated MS4 areas

have provided the necessary certification. If they have not, the owner/operator and NOI preparer will be notified that the submission is incomplete. Authorization to commence construction will not be issued until the Department receives a complete NOI.

Is there room for additional comments if clarification is needed for example, on a linear project the long-lat may be central to the project etc.

Question 39 located in the Post Construction Criteria Section may be used to provide additional comments, explain deviations or provide additional information on the project.

I believe that I saw one of the steps of submission was payment. Is there fees for filing and if so how much will they be?

No. There are no fees for submitting the NOI. Projects will continue to be billed separately for the initial authorization and annual fees.

OWNER/OPERATOR SIGNATURE

Is there any other way to get the owner/operator to approve other than through the website?

All NOIs must include a signed Owner/Operator Certification form and certified by the owner/operator. In order to submit the eNOI, a signed, scanned copy of the Owner/Operator Certification form must be uploaded and attached to the electronic submission.

For the time being, the Department will continue to accept paper NOIs with the owner/operator signature.

How is the preparer protected from edits that could be edited by the owner?

Only the preparer, and individuals with whom the preparer shares the eNOI submission, are able to view or edit the information. The owner will not be able to see the online submission unless the preparer shares it with the owner.

POST SUBMISSION PROCESS

Does the 5 day review period start as soon as it is submitted?

No. The Construction General Permit sets the time frame for coverage from the date the Department receives a **complete** NOI. The Department will review the submission and either notify you that additional information is needed or deem it complete. NOIs that are deemed complete will be issued an NOI Acknowledgement letter that provides the permit number and date that coverage will begin. You cannot begin construction until you have received and complied with the conditions of your letter of acknowledgement.

Once you accept the NOI, will you continue to issue the permit number by letter? Or will it be done electronically?

Initially, the Department will continue to mail a hard copy of the NOI Acknowledgment Letter to the owner/operator. Eventually, as the system is improved, it is expected that notifications will be electronic.

If the NOI is deemed incomplete, how will you notify the owner and/or preparer? E-mails will be sent to the preparer advising that the NOI is incomplete and the information that needs to be submitted.

ADDITIONAL INFORMATION/RESOURCES

When will the slides be available on the website?

The slides have been posted on the NYSDEC website, at:
http://www.dec.ny.gov/docs/water_pdf/constnoiguide2014.pdf.

Will we be able to download the recording of this webinar?

The webinar was not recorded.



SWPPP Preparer Certification Form

*SPDES General Permit for Stormwater Discharges
From Construction Activity (GP-0-15-002)*

Project Site Information

Project/Site Name

Owner/Operator Information

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

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-15-002. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

First name

MI

Last Name

Signature

Date



Owner/Operator Certification Form

SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-15-002)

Project/Site Name: _____

eNOI Submission Number: _____

eNOI Submitted by: Owner/Operator SWPPP Preparer Other

Certification Statement - Owner/Operator

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

Owner/Operator First Name

M.I. Last Name

Signature

Date

CONTRACTOR and SUBCONTRACTOR CERTIFICATION STATEMENT

Permit Requirements (Excerpts)

As per Part III.A.6 of GP-0-15-002:

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.

As per Appendix A of GP-0-15-002:

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

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

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

NYR

Project Name

NYSDEC SPDES Permit No.

MS4/Municipality approving SWPPP

CONTRACTOR and SUBCONTRACTOR CERTIFICATION STATEMENT

"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"

Are you a contractor or subcontractor? _____

Name of Contractor or Subcontractor

Name of Contracting (Construction) Firm

Title

Address of Firm

Signature of Contractor or Subcontractor

Address of Firm (cont'd)

Date

Phone # (cell); Phone # (office)

Specific elements of SWPPP for which I am responsible: _____

Trained Contractor Information:

(From Permit: Trained Contractor is "...responsible for the day-to-day implementation of the SWPPP.. on site on a daily basis when soil disturbance activities are being performed...")

Name of Trained Contractor on Site

NYSDEC Identification SWT #

Title

Date of last 4 Hr E-SC Contractor Training

Other Site Information:

Address of Site (if available) and/or Description of Site

Name of *Owner or Operator*

Name of *Qualified Inspector*

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

(NOTE: Submit completed form to address above)

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

Please indicate your permit identification number: NYR _____

I. Owner or Operator Information

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person:

4a. Telephone:

4b. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

III. Reason for Termination

9a. All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. *Date final stabilization completed (month/year): _____

9b. Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____

(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? yes no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

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

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? yes no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.
- For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? _____
(acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? yes
 no
(If Yes, complete section VI - "MS4 Acceptance" statement

V. Additional Information/Explanation:
(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name:

Title/Position:

Signature:

Date:

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

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:



Department of
Environmental
Conservation

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

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information

1. Owner/Operator Name:

2. Contact Person:

3. Street Address:

4. City/State/Zip:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/State/Zip:

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

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:

12. MS4 SPDES Permit Identification Number: NYR20A _____

13. Contact Person:

14. Street Address:

15. City/State/Zip:

16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

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

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

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

MS4 Construction Site Compliance Inspection Check List

PROJECT NAME:	DATE:	ENTRY TIME:
LOCATION:	WEATHER:	EXIT TIME:
NAME OF PROPERTY OWNER:	PROJECT/PARCEL ID #:	
NAME OF SITE CONTRACTOR:	PHOTOGRAPHS: <input type="checkbox"/> YES <input type="checkbox"/> NO	
ON-SITE REPRESENTATIVE(S):	CONTACT NUMBER(S):	
<input type="checkbox"/> Clearing <input type="checkbox"/> Grading <input type="checkbox"/> SMP Installation <input type="checkbox"/> Final Stabilization <input type="checkbox"/> Site Shutdown		<input type="checkbox"/> Inspection <input type="checkbox"/> Enforcement
As per _____: The SMO must be notified 48 hours prior to commencement of the above listed activities		

VERIFICATION OF GENERAL REQUIREMENTS IN GP-0-15-002 & THE MUNICIPAL CODE	Local Law/Policy/ Permit Reference
--	---------------------------------------

1	Y-N	Is a copy of the NOI, NOI Letter, MS4 SWPPP Acceptance Form, & GP-0-15-002 on site?	
2	Y-N	Is the SWPPP kept onsite in a secure location and accessible during normal working hours?	
3	Y-N	Has the SMO reviewed/approved the SWPPP under the Stormwater Management Local Law?	

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)
--

4	Y-N	Does the SWPPP have an E&SC Plan and Post-Construction SMP component (if required)?	
5	Y-N	Is the SWPPP kept current? Does it accurately document the E&SC practices being used?	
6	Y-N	Does the SWPPP have certification statements by the responsible contractors/subcontractors?	
7	Y-N	Is a <i>trained contractor</i> responsible for SWPPP implementation identified on the certifications?	
8	Y-N	Do the signed contractor certification statements identify the specific SWPPP responsibilities?	

CONTENT OF SITE INSPECTIONS AND REPORTING

10	Y-N	Is a <i>qualified inspector</i> , as defined in Appendix A, performing the required site inspections?	
11	Y-N	Are inspections performed at least once every 7 days or 2x per week w/ 2 day gap if > 5 acres?	
12	Y-N	If disturbance temporarily/permanently suspended- soils stabilized w/in 7 days of final activity?	
13	Y-N	Is there a description of the condition of runoff from all points of discharge from the site?	
14	Y-N	Are all E&SC practices in need of repair, replacement, removal, or maintenance identified?	
15	Y-N	Is there a description and sketch of areas currently being disturbed and recently stabilized?	
16	Y-N	Are inspection reports provided to the <i>owner or operator</i> and contractor w/in 1 business day?	
17	Y-N	Are corrective actions in the inspection report implemented by the contractor by the next day?	
18	Y-N	Are all of the inspection reports signed by the <i>qualified inspector</i> and retained in the SWPPP?	

VISUAL OBSERVATIONS OF E&SC CONTROL MEASURES AND SMPS

19	Y-N	If > 5 acres of disturbed soil at any one time, has prior MS4 or DEC approval been granted?	
20	Y-N	Are all inactive areas stabilized (in 14 days) & maintained in accordance with the <i>Blue Book</i> ?	
21	Y-N	Are all E&SC practices implemented/maintained in accordance with the SWPPP & <i>Blue Book</i> ?	
22	Y-N	Are all SMPs constructed & maintained in accordance with the SWPPP & the <i>Design Manual</i> ?	
23	Y-N	If evidence of an increase in turbidity, is there substantial visible contrast to natural conditions?	
24	Y-N	Is accumulated sediment removed from traps/ponds if their design capacity is reduced by 50%?	

Name of MS4:	Name of Inspector:	Signature of Inspector:
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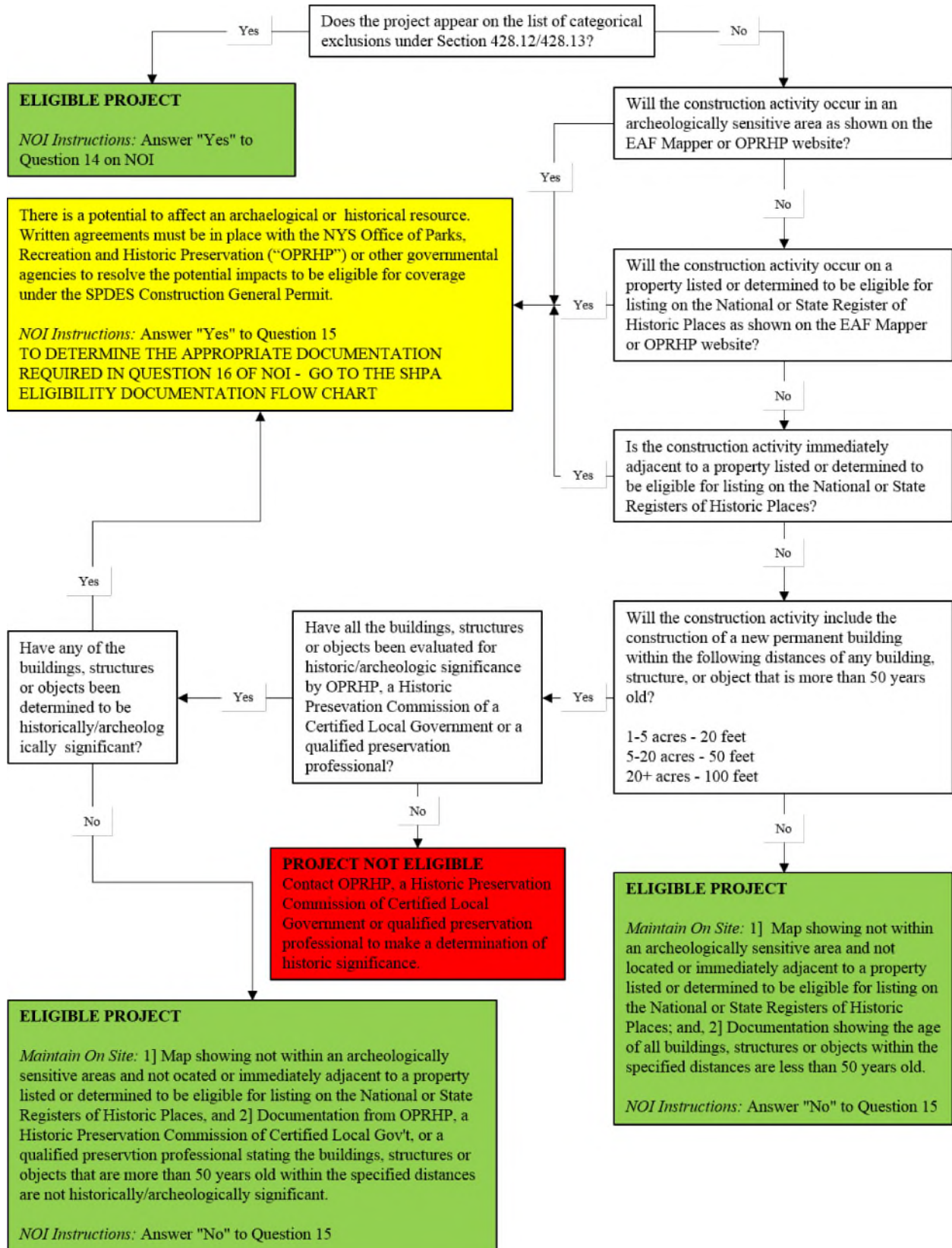
MS4 Construction Site Compliance Inspection Check List

Note: This page of the checklist is not provided to the facility being inspected; use it to track internal activity.

If necessary, provide written comments to explain any 'NO' answers from the previous checklist			Reference
1	Y-N	Is a copy of the NOI, NOI Letter, MS4 SWPPP Acceptance Form, & GP-0-15-002 on site?	
2	Y-N	Is the SWPPP kept onsite in a secure location and accessible during normal working hours?	
3	Y-N	Has the SMO reviewed/approved the SWPPP under the Stormwater Management Local Law?	
4	Y-N	Does the SWPPP have an E&SC Plan and Post-Construction SMP component (if required)?	
5	Y-N	Is the SWPPP kept current? Does it accurately document the E&SC practices being used?	
6	Y-N	Does the SWPPP have certification statements by the responsible contractors/subcontractors?	
7	Y-N	Is a <i>trained contractor</i> responsible for SWPPP implementation identified on the certifications?	
8	Y-N	Do the signed contractor certification statements identify the specific SWPPP responsibilities?	
10	Y-N	Is a <i>qualified inspector</i> , as defined in Appendix A, performing the required site inspections?	
11	Y-N	Are inspections performed at least once every 7 days or 2x per week w/2 day gap if > 5 acres?	
12	Y-N	If disturbance temporarily/permanently suspended-soils stabilized w/in 7 days of final activity?	
13	Y-N	Is there a description of the condition of runoff from all points of discharge from the site?	
14	Y-N	Are all E&SC practices in need of repair, replacement, removal, or maintenance identified?	
15	Y-N	Is there a description and sketch of areas currently being disturbed and recently stabilized?	
16	Y-N	Are inspection reports provided to the <i>owner or operator</i> and contractor w/in 1 business day?	
17	Y-N	Are corrective actions in the inspection report implemented by the contractor by the next day?	
18	Y-N	Are all of the inspection reports signed by the <i>qualified inspector</i> and retained in the SWPPP?	
19	Y-N	If > 5 acres of disturbed soil at any one time, has prior MS4 or DEC approval been granted?	
20	Y-N	Are all inactive areas stabilized (in 14 days) & maintained in accordance with the <i>Blue Book</i> ?	
21	Y-N	Are all E&SC practices implemented/maintained in accordance with the SWPPP & <i>Blue Book</i> ?	
22	Y-N	Are all SMPs constructed & maintained in accordance with the SWPPP & the <i>Design Manual</i> ?	
23	Y-N	If evidence of an increase in turbidity, is there substantial visible contrast to natural conditions?	
24	Y-N	Is accumulated sediment removed from traps/ponds if their design capacity is reduced by 50%?	

FOLLOW UP ACTION TAKEN BY MS4 TO ENSURE COMPLIANCE WITH LOCAL LAW OR POLICY		
ACTION:	DATE:	STAFF:
RESULT:		
ACTION:	DATE:	STAFF:
RESULT:		
ACTION:	DATE:	STAFF:
RESULT:		

CULTURAL RESOURCE SCREENING PROCESS FLOW CHART



LETTER OF RESOLUTION
between the
NYS Department of Environmental Conservation
and the
NYS Office of Parks, Recreation and Historic Preservation
regarding compliance with PRHPL § 14.09 for the
State Pollution Discharge Elimination System
General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002)

WHEREAS, the New York State Department of Environmental Conservation (Department), having offices at 625 Broadway, Albany, NY 12233 is authorized to issue a State Pollutant Discharge Elimination System (SPDES) general permit for Stormwater Discharges from Construction Activity (CGP), pursuant to 33 U.S.C. 1342, New York State Environmental Conservation Law (ECL) §§17-0701, 70-0117(6), and 6 NYCRR 750-1.21(b)(2); and

WHEREAS, pursuant to Parks Recreation and Historic Preservation Law (PRHPL) §14.09, the State Historic Preservation Act (SHPA), and 9 NYCRR Part 428, the Department is required to consult with the Office of Parks, Recreation and Historic Preservation (OPRHP), located at Peebles Island State Park, Delaware Avenue, Cohoes NY 12238, concerning the impact of a construction activity if it appears that any aspect of the construction activity may or will cause any change, beneficial or adverse, in the quality of an historic property, which is any building, structure, site, object or district that is listed on the state or national register of historic places or is determined to be eligible for listing on the state or national register; and

WHEREAS, the Department and the OPRHP declare that it is to their mutual advantage to develop this Letter of Resolution (LOR); and

WHEREAS, this approach simultaneously maintains the efficiencies of the general permitting process for owners/operators engaged in construction activities, and allows the process of obtaining coverage under the CGP to be considered a ministerial action under the State Environmental Quality Review Act; and

WHEREAS, the Department and the OPRHP agree that adherence to the procedures outlined in the Attachment 1 to this LOR will satisfy the SHPA for both the issuance and implementation of the CGP; and

WHEREAS, 9 NYCRR § 428.12 allows the Commissioner of the OPRHP to designate certain categories of projects as exempt from the SHPA review and 9 NYCRR § 428.13 allows the Commissioner of the OPRHP to establish standards for the implementation of the SHPA for a series of similar undertakings. A list of projects meeting the regulatory criteria is in Attachment 2 to this LOR.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

- 1) The Department and the OPRHP will make use of the procedures and owner/operator consultation described in Attachment 1 to implement the terms of this LOR.
- 2) Construction activities falling into the categories listed in Attachment 2 will not require review under the SHPA.
- 3) The Department and the OPRHP commit to meeting, as needed, to review the implementation of the LOR
- 4) The Department will make use of the Project Cover Form (Attachment 3 to this LOR) to identify projects for the OPRHP and to initiate project review and consultation.

ARTICLE I. Responsibilities

Department Responsibilities:

The Department will condition the CGP such that a construction activity is ineligible for coverage under the CGP if the construction activity has the potential to affect a historic property, and such effects have not been resolved.

The Department acknowledges that where the OPRHP determines that a historic property may be affected, the OPRHP will recommend steps to the Department that would resolve those effects and the Department's Agency Preservation Officer (APO) may be involved in the development of a Letter of No Adverse Impact or a signatory to a Letter of Resolution for the particular construction activity.

The Department has determined that significant outreach and training for design engineers, project sponsors, planning boards and other review authorities on requirements of the SHPA will assist the Department in complying with the SHPA by addressing potential impacts to a historic property early on in the planning stages of a construction activity.

The Department is planning on providing this outreach and training across the state as part of roll-out of the renewed CGP (anticipated January 29, 2015).

The Department anticipates enhancing its enforcement of the eligibility of construction activities under the CGP by requiring documentation that demonstrates eligibility under the SHPA be maintained at the construction site.

The Department will develop a Standard Operation Procedure (SOP) to set forth the roles and responsibilities of Department staff to assure compliance with this LOR. The SOP will detail the process to be followed during the inspection of sites and in the event that human or archaeological remains are encountered during land disturbance authorized under the CGP.

The Department will update the Compliance Strategy for the CGP to reflect the enforcement protocol for projects that fail to maintain documentation demonstrating SHPA compliance and for projects that operate in contravention to the conditions of any Letters of No Adverse Impact

or Letter or Resolution for a particular construction activity, if such conditions are also related to land disturbance and/or water quality.

OPRHP Responsibilities:

OPRHP will make best efforts to respond to owner/operator consultation requests for a specific construction activity within the thirty (30) day review period in accordance with the SHPA once all required materials have been provided. Where that timeframe is not f the OPRHP will advise the Department's APO and seek to resolve any issues with the consultation in a timeframe that will not unduly delay an owner/operator submitting a NOI for coverage under the CGP.

ARTICLE II. Representations

The Department's authorized representative for the administration of this LOR is:

Name: Charles Vandrei (or designated successor)
Title: Agency Historic Preservation Officer
Address: 625 Broadway Albany, NY 12233
Phone #: (518) 402-9428
Email: Charles.Vandrei@dec.ny.gov

The OPRHP's representative for the implementation and administration of this LOR:

Name: John A. Bonafide (or designated successor)
Title: Director
Address: Peebles Island
1 Delaware Avenue
*Mailing: P.O. Box 189
Waterford, NY 12188
Phone #: (518) 268-2166
Email: John.Bonafide@parks.ny.gov

Should either of the named contacts be changed by their respective agency, the agency will notify the other within 30 days.

ARTICLE III. Duration

This LOR shall be effective from the date the last party signifies their acceptance below.

ARTICLE IV. Modification

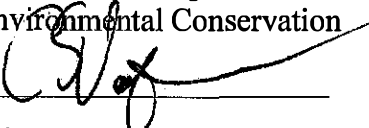
Notwithstanding any other provisions of this LOR, this agreement may be amended when such an amendment is agreed to in writing by both agencies.

ARTICLE V. Termination

This LOR may be terminated by either party giving the other party 30 days advanced written notice of such intent and the reasons thereof. Both parties agree to enter into good faith negotiations to resolve any differences and provide for an orderly closure of this LOR if agreement cannot be reached.

In **WITNESS WHEREOF**, the individuals listed below are authorized to sign and execute this LOR between their respective Executive Department Agencies, on the date appearing below their respective signatures.

New York State Department
of Environmental Conservation


By 

Charles Vandrei

Agency Preservation Officer

Dated 1/9/15

Office of Parks, Recreation and
Historic Preservation

By 

Ruth L. Pierpont

Deputy Commissioner
for Historic Preservation

Dated 1/9/15

Procedures-Attachment 1 to Letter of Resolution

Applicability: All construction activities seeking CGP coverage are subject to the following procedures unless they fall into one of the following exemptions:

1. Is on the list of exempt activities found in Attachment 2; or
2. It requires a federal permit or approval or is receiving federal funds and has been reviewed under Section 106 of the National Historic Preservation Act for the full coterminous project area; or
3. It requires a state agency permit, approval or funding from the DEC or another state agency, and has been reviewed under Section 14.09 of the New York State Historic Preservation Act.

Definitions:

Immediately Adjacent-shared property line, excluding construction activities that are located across a public highway

Historic Preservation Commission of a Certified Local Government-

A municipal government which is authorized to make certain historic preservation decisions. CLG's have a local preservation ordinance and an historic preservation board or commission which has been approved by OPRHP and certified by the National Park Service. For additional information see <http://nysparks.com/shpo/certified-local-governments/>

Qualified Preservation Professional-professionals that meet the qualification standards as set forth in 36 CFR Part 61.

Historic Property- Any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or has been determined to be eligible for

listing on the State or National Registers of Historic Places or is locally designated as historic.

Unevaluated Property – Buildings, structures or objects that are greater than 50 years of age that have not been evaluated for eligibility for listing on the State or National Registers of Historic Places.

Archaeologically Sensitive Area – A location as defined by OPRHP as having the potential to contain unidentified and unevaluated archaeological resources.

Screening Process:

1: The owner/operator shall check the archeological sensitivity map and the National and State Registers of Historic Places (by either using DEC's EAF Mapper and OPRHP's CRIS website) to determine if the construction activity is located:

- a) in an *archeological sensitive area*, or
- b) on an *historic property*, or
- c) *immediately adjacent* to an *historic property*.

2: The owner /operator shall also determine if the construction activity will include the construction of a new permanent building on the construction site within the following distances of an *Unevaluated Property*¹.

- 1-5 acres of disturbance - 20 feet
- 5-20 acres of disturbance - 50 feet
- 20+ acres of disturbance - 100 feet,

¹ The building, structure, or object that is more than 50 years old could be on the construction site or adjacent to the construction site.

Eligibility Determination/Resolution of Impacts:

1. If the construction activity:

- a. is not within an *archeologically sensitive area* as indicated on the sensitivity map, and,
- b. is not on an *historic property*, and
- c. is not *immediately adjacent* to an *historic property*, and
- d. does not include the construction of a new permanent building on the construction site within the following distances of an *Unevaluated Property*² :
 - 1-5 acres of disturbance - 20 feet
 - 5-20 acres of disturbance - 50 feet
 - 20+ acres of disturbance - 100 feet, or
- e. does include the construction of a new permanent building on the construction site within the following distances from *Unevaluated Property*³ but OPRHP, a *Historic Preservation Commission of a Certified Local Government*, or a *qualified preservation professional* has determined it is not a historically significant building, structure or object:
 - 1-5 acres of disturbance - 20 feet
 - 5-20 acres of disturbance - 50 feet
 - 20+ acres of disturbance - 100 feet

the construction activity is eligible for coverage under the General Permit

provided all other eligibility requirements have been met.

² The building, structure, or object that is more than 50 years old could be on the construction site or adjacent to the construction site.

³ The building, structure, or object that is more than 50 years old could be on the construction site or adjacent to the construction site.

2. If the construction activity:

- a. is within an *archeologically sensitive area* as indicated on the archeological sensitivity map, or
- b. is on an *historic property*, or
- c. is located *immediately adjacent* to an *historic property*, or
- d. includes the construction of a new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old⁴ and which OPRHP, a *Historic Preservation Commission of a Certified Local Government*, or a *qualified preservation professional* has determined is a historically/archeologically significant building, structure, or object:
 - 1-5 acres of disturbance - 20 feet
 - 5-20 acres of disturbance - 50 feet
 - 20+ acres of disturbance - 100 feet

Then:

- 1) Impacts to *historic properties* shall be resolved through the SEQR process, with documentation of OPRHP's agreement with such resolution, and the owner/operator shall submit the DEC consultation form (Attachment 3 to the LOR, preferably the digital version using OPRHP's CRIS system) to OPRHP, with a copy to the DEC APO. The

⁴ The building, structure, or object that is more than 50 years old could be on the construction site or adjacent to the construction site.

construction activity will be eligible for coverage under the CGP, provided all other CGP eligibility requirements are met, or

2) The owner/operator shall initiate a consultation with OPRHP on behalf of DEC prior to the construction activity being deemed eligible for coverage under the CGP. Under this consultation process:

- The owner/operator shall submit the DEC consultation form (Attachment 3 to the LOR, preferably the digital version using OPRHP's CRIS system) to OPRHP, with a copy to the DEC APO, to commence the 30 day period for OPRHP review. The owner/operator shall also submit the DEC consultation form to OPRHP on behalf of DEC as an initial request for OPRHP consultation on the specific construction activity.

-If OPRHP concurs that *historic properties* will not be affected, and issues a letter of No Impact, consultation with OPRHP is complete. The construction activity is eligible for coverage under the CGP, provided all other CGP eligibility requirements are met.

-If OPRHP determines that *historic properties* may be affected, OPRHP will, after all necessary surveys and consultations have been performed, recommend steps to the DEC APO that would

resolve those effects and will copy the owner/operator. The construction activity is not eligible for the CGP unless a Letter of No Adverse Impact is issued from OPRHP or a Letter of Resolution is executed, that specifically allows the action to proceed under the CGP.

- The DEC APO shall decide if any of the above determinations warrant consultation with any potentially interested Indian Nations under CP-42, and will initiate such consultation on behalf of the DEC.

Changes to the Notice of Intent and CGP

DEC will amend the NOI to include the following questions:

14. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the State Historic Preservation Act (SHPA) review (see Attachment 2 of the Letter of Resolution between the NYSDEC and OPRHP, dated ???)

Yes No

If Yes, go to question 18.

If No, go to question 15.

15. Will the construction activity:

- a) occur within an *archeologically sensitive area* indicated on the sensitivity map, or
- b) have the potential to affect a property that is listed or determined to be eligible for listing on the National or State Registers of Historic Places, or
- c) include a new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old and OPRHP, a *Historic Preservation Commission of a Certified Local Government*, or a *qualified preservation professional* has determined is a historically/archeologically significant building, structure, or object:
 - 1-5 acres of disturbance - 20 feet
 - 5-20 acres of disturbance - 50 feet
 - 20+ acres of disturbance - 100 feet

Yes No

If Yes, go to question 17.

If No, go to question 16.

16. Is there documentation at the construction site demonstrating:

- a) that the construction activity is not within an *archeologically sensitive area* indicated on the sensitivity map, and that the construction activity is not *immediately adjacent* to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and
- b) that there is no new permanent building to be built 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 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?

Yes No

If Yes, go to question 18.

If No, the construction activity is not eligible for coverage under the General Permit so NOI cannot be processed.

17. Have the impacts to historic properties been resolved. Yes No

If Yes, which of the following documentation is at the construction site:

a. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and

- 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
- documentation from OPRHP that the construction activity will result in No Impact; or
- documentation from OPRHP providing a determination of No Adverse Impact; or
- a Letter of Resolution signed by the owner/operator, OPRHP and the DEC which allows for this construction activity to be eligible for coverage under the general permit under SHPA; or

b. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:

- No Effect/No Historic Properties Affected
- No Adverse Effect
- Executed Memorandum of Agreement

c. Documentation that

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

If No, the construction activity is not eligible for coverage under the General Permit and the NOI cannot be processed.

General Construction Permit Categorical Exclusions

Under 9 NYCRR Sections 428.12/ 428.13

1. A single family house to be constructed on a single lot.
2. Installation of utility lines (water, sewer, electrical, gas and the like) which are located between the existing edge of pavement and the far edge of an existing excavated drainage ditch or existing utility lines. Exceptions include:
 - a. In alluvial settings. Information on alluvial soils may be obtained from USDA Soil Surveys.
 - b. Within known archaeological site boundaries found on the NYS Archaeological Sensitivity map (Using either the NYS OPRHP CRIS system or NYS DEC Environmental Mapper Tool).
 - c. Within the boundaries of known cemeteries.
3. Repair or replacement of utilities in the same trench where proposed excavation will not exceed width, and depth of existing work.
4. Installation of lighting (including new underground conduit and conductors) and minor drainage work where no other new excavation work is needed outside of previously disturbed areas.
5. Excavation or other ground disturbance impacting areas 10 feet or less from existing c.1900 or later structures.

New York State Office of Parks, Recreation and Historic
Preservation
Field Services Bureau
Peebles Island State Park
Waterford, NY 12188-0189

Copy to:
New York State Department of Environmental Conservation
Agency Historic Preservation Officer
Division of Lands and Forests
625 Broadway
Albany, NY 12233-4255

Attachment 3
**STORMWATER CONSTRUCTION GENERAL PERMIT
REQUEST FOR STATE HISTORIC PRESERVATION ACT REVIEW**

This form is being submitted to OPRHP to request consultation on historic properties or archeological resources or both in accordance with the Letter of Resolution between NYS Department of Environmental Conservation and the NYS Office of Parks, Recreation and Historic Preservation regarding compliance with PRHPL § 14.09 for the State Pollution Discharge Elimination System General Permit For Stormwater Discharges From Construction Activity (GP-0-15-002) dated _____.

DATE: _____ COUNTY _____
PROJECT NAME: _____ NAME OF OWNER / OPERATOR OF PROPOSED CONSTRUCTION ACTIVITY _____
PROJECT LOCATION _____ TELEPHONE _____
CITY/TOWN/VILLAGE _____ E-MAIL _____

CONSULTATION WITH OPRHP CRIS WEB SITE AT <http://cris.parks.ny.gov> or the DEC EAF Mapper <http://www.dec.ny.gov/cafmapper> indicates the Project Site:

- is within an archeologically sensitive area as indicated on the sensitivity map
 is immediately adjacent to or contains an historic property
 OTHER _____

PLEASE ADVISE ON:

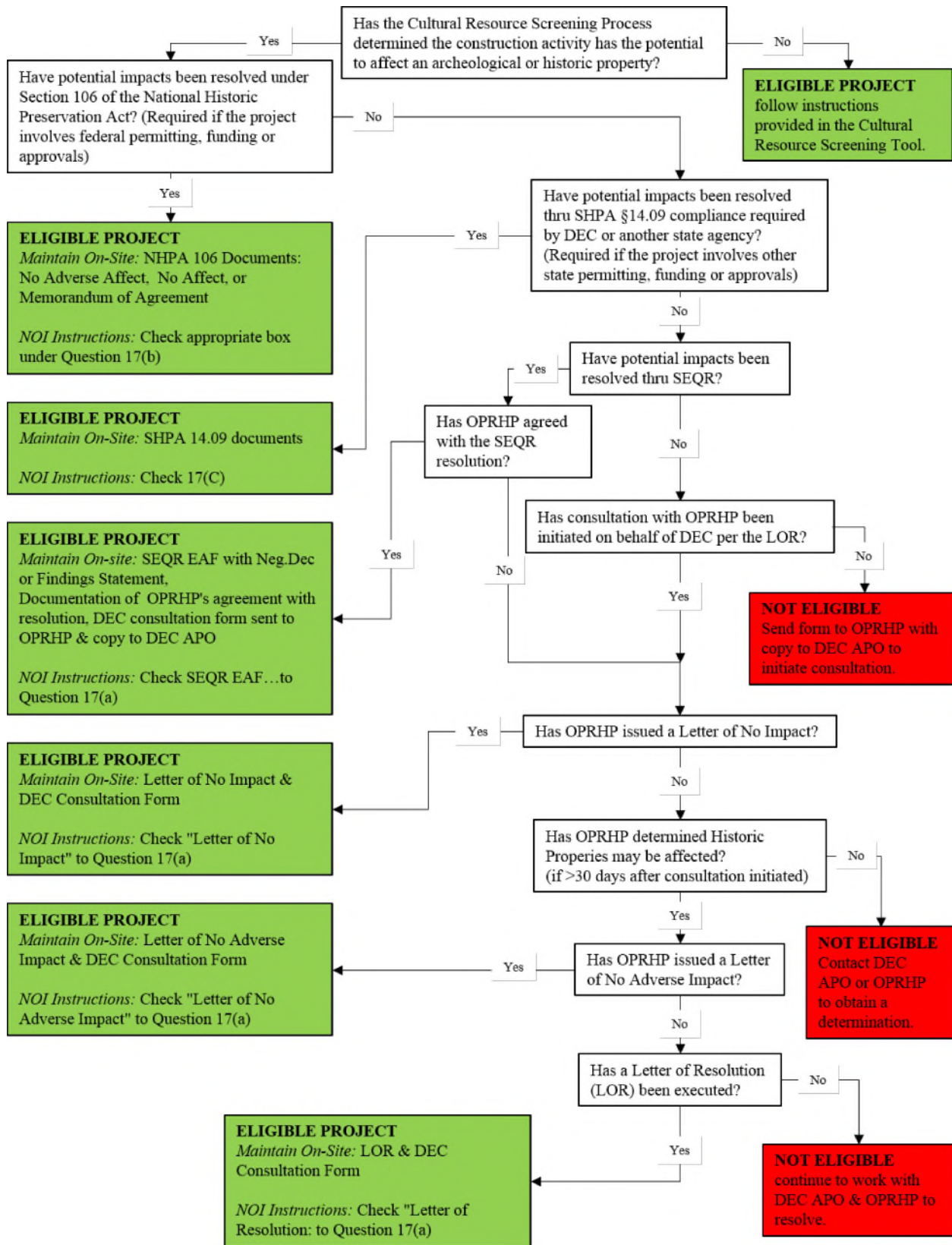
- G Need for Survey / Scope of Survey Needed G Adequacy of Survey To-Date
G Signifi of Identified Unevaluated Property¹ G Signifi of Identified Archeological Resources cance
G Impact on Significant Cultural Resources G Project Alternatives (As Described) G Need for Mitigation
G Other _____

ENCLOSURES
DESCRIPTIONS, MAPS, STUDIES, ETC. AS APPROPRIATE ARE ENCLOSED _____

AGREEMENT REACHED WITH OPRHP THROUGH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT OR OTHER DOCUMENTATION THAT IMPACTS TO HISTORIC PROPERTIES OR ARCHEOLOGICAL RESOURCES OR BOTH HAVE BEEN ADDRESSED (attach) _____ OPRHP PROJECT NUMBER (Assigned by OPRHP): PR# _____

¹ Buildings, structures or objects that are greater than 50 years of age that have not been evaluated for eligibility for listing on the State or National Registers of Historic Places.

RESOLUTION OF POTENTIAL CULTURAL IMPACTS FLOW CHART





REQUEST FOR STATE HISTORIC PRESERVATION ACT REVIEW

This form is being submitted to NYS Office of Parks, Recreation and Historic Preservation to request consultation on historic properties or archeological resources or both in accordance with the Letter of Resolution between NYS Department of Environmental Conservation and the NYS OPRHP regarding compliance with PRHPL §14.09 for the **SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-15-002)**

**- Important -
Complete Form And
Return To Both
Addresses**

**New York State Office of Parks, Recreation and Historic Preservation (OPRHP)
Field Services Bureau
Peebles Island State Park
Waterford, NY 12188-0189**

**Copy To:
New York State Department of Environmental Conservation
Agency Historic Preservation Officer (APO)
Division of Lands and Forests
625 Broadway
Albany, NY 12233-4255**

Date

Name of Owner/Operator of
Proposed Construction Activity

Telephone

Email

Project Name

Project Location

City/Town/Village

County

CONSULTATION WITH OPRHP CRIS WEB SITE AT <http://cris.parks.ny.gov> or the DEC EAF Mapper <http://www.dec.ny.gov/eafmapper> indicates the Project Site:

- Project is located within an archeologically sensitive area as indicated on sensitivity map.
- Project is located immediately adjacent to or contains an historic property.
- Other.

PLEASE ADVISE ON:

- | | |
|--|---|
| <input type="checkbox"/> Need for Survey/Scope of Survey Needed | <input type="checkbox"/> Adequacy of Survey To Date |
| <input type="checkbox"/> Significance of Identified Unevaluated Property | <input type="checkbox"/> Significance of Identified Archeological Resources |
| <input type="checkbox"/> Impact on Significant Cultural Resources | <input type="checkbox"/> Project Alternatives (As Described) |
| <input type="checkbox"/> Other | <input type="checkbox"/> Need for Mitigation |

Supporting Documentation Attached

- Project Description
- Maps
- Archeological Studies
- Agreement reached with OPRHD through the State Environmental Quality Review Act
- Other documentation that impacts to Historic properties or archeological resources, or both have been addressed.
- Other. Please describe.

OPRHP PROJECT NUMBER (Assigned by OPRHP): PR#

¹ Buildings, structures or objects that are greater than 50 years of age that have not been evaluated for eligibility for listing on the State or National Registers of Historic Places.

IX. 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**

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single family home not located in one of the watersheds listed in Appendix C or not directly discharging to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E
- Construction of a barn or other agricultural building, silo, stock yard or pen.

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

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- Bike paths and trails
- Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project
- Slope stabilization projects
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), 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 less than five acres and construction activities that include the construction or reconstruction of impervious area

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

- 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.

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

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

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