Village of Voorheesville
Albany County, New York

Stormwater Management Program Plan

May 2016

Barton & Loguidice

Village of Voorheesville
Albany County, New York

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Prepared for:

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Appendices

1.0 Minimum Control Measure 1: Public Education and Outreach

Within the boundaries of Voorheesville are many wetlands, the Vly Creek, a major railroad, NY Route 85A, and some industrial locations. The wetlands in the Village are small and are scattered throughout. The Vly Creek and Route 85A runs through the entire Village from west to east, and is the primary waterbody of concern. The pollutants of concern (POC) in this area include Nitrogen, Phosphorous, Total Suspended Solids, and Stormwater Flow (further explanation of POC are identified on Table 1.1). The railroad runs through the Village from north to south, this is an area of concern because the line is frequented by industrial products that traverse the Village. In addition to the railroad, the geographic areas of concern are identified on the map as "hotspots" (Appendix A). These areas are highlighted because the existing land use may be harmful to environmentally sensitive areas and include manufacturing or industrial use, highway garage, gas stations, etc.

The Village has identified the following as targets for public outreach:

- The General Public
- Village Personnel
- Contractors working within the Village

The topics included in education and outreach programs administered by the Village include:

- Construction Sites
- Mobile Cleaners (carpet cleaners, janitorial staff, etc.)
- Food and Restaurant Industries
- Pools, Fountains and Spas
- Pesticide Application, Lawn Care, and Landscaping
- Automotive Related Industries
- Roadwork and Paving
- Concrete and Mortar Operations
- Hospitals, Medical Treatment Centers, and Healthcare Facilities
- General Stormwater Management Information

Stormwater pollutants of concern, their major urban contributors, and steps that can be taken to reduce the impact of pollutants of concern are on the following table:

Table 1: Pollutants of Concern and Measurable Goals			
Pollutant	**Source(s)**	**Management Strategies**	**Measurable Goal (on an annual basis March 10-March 9)**
Sediment	Residential Car Washing	Wash vehicles on lawn	# of Residential Stormwater Pollution Prevention pamphlets distributed
		Use commercial car wash	
	Construction	Implementation of SWPPP Best Management Practices (projects > 1 acre in disturbance)	# Construction Site Inspections
		Protecting catch basins and swales and engaging in seeding activities before wind and/or rain events (projects < 1 acre in disturbance)	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Bare Lawns	Seed bare spots	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Winter Deicing	Avoid use of sand	Cubic yards of sand used
		Engage in street sweeping activities as early as possible in the Spring	# of street sweeping activities
		Protect nearby catch basins and surface waters with best management practices during periods of sand use	Cubic yards of sand used
	Uncovered Landscaping Truck Beds	Enforce requirement to cover all truck beds transporting loose landscaping material	# landscaping businesses notified
	Hosing of Sidewalks/Driveways	Sweep and collect sediment/debris for proper disposal	# of Residential Stormwater Pollution Prevention pamphlets distributed
Phosphorus	Landscaping	Adhering to the "Dishwasher Detergent and Nutrient Runoff Law"	# of "Dishwasher Detergent and Nutrient Runoff Law" summaries distributed
	Residential Car Washing	Use phosphate-free detergent	# of Residential Stormwater Pollution Prevention pamphlets distributed
		Use commercial car wash	
Nitrogen	Vehicle Exhaust	Avoid idling of cars for longer than a specified duration above a specified temperature	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Landscaping	Adhering to the "Dishwasher Detergent and Nutrient Runoff Law"	# of "Dishwasher Detergent and Nutrient Runoff Law" summaries distributed
	Pet Waste	Clean up pet waste on all properties, both public and private, and dispose of properly	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Birds (geese, etc)	Avoid feeding of nuisance bird species	# of Residential Stormwater Pollution Prevention pamphlets distributed

Table 1: Pollutants of Concern and Measurable Goals			
Pollutant	**Source(s)**	**Management Strategies**	**Measurable Goal (on an annual basis March 10-March 9)**
Oil	Vehicle Use and Maintenance	Use drip pans under vehicles during maintenance activities	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Residential Car Washing	Wash vehicles on lawn	# of Residential Stormwater Pollution Prevention pamphlets distributed
		Use commercial car wash	
	Illicit Discharges	Do not dump oil and other vehicle fluids down storm drain. Bring used oil to recycling facility (auto shop, etc).	# of Residential Stormwater Pollution Prevention pamphlets distributed
Trash/Debris	Littering	Use trash cans provided by the municipality	# of Residential Stormwater Pollution Prevention pamphlets distributed
	Loss From Refuse Collection	Inform and enforce preventative measures as feasible, such as not overfilling refuse collection vehicles.	# of informal trainings of public works employees re: refuse collection
	Uncovered Truck Beds	Enforce requirement to cover all truck beds transporting debris and refuse.	# of informal trainings of public works employees re: refuse collection

To aid in implementing the program for Minimum Control Measure 1, the Village will perform the following:

- Distribution of a general Residential Stormwater Pollution Prevention pamphlet/leaflet that addresses the pollutants and causes noted (see Appendix B).
- Distribution of a general "Dishwasher Detergent and Nutrient Runoff Law" summary to residents and retailers (see Appendix B).
- Track cubic yards of sand used for winterization activities
- Send postcards and/or letters to local landscaping companies with general stormwater information and a request to ensure all truck beds with loose materials are covered (include NYSDEC sign)
- Public Events/Presentation
- Continue Direct Mailings to residents
- Track number of construction site inspections
- Provide EPA Residential Construction Site pamphlet with building and improvement permits
- Track number, and dates, of street sweeping activities
- Track number and attendance at informal DPW trainings regarding public refuse collection activities and employee training sessions regarding general stormwater and best management practice discussions
    - One online training per year from StormwaterOne: http://stormwaterone.com/free-training
    - One stormwater webinar per year from EPA: https://www.epa.gov/green-infrastructure/green-infrastructure-webcast-series
    - Training to be attended by Stormwater Management Officer and available DPW personnel when training is applicable. GI Training to be attended by all relevant staff as feasible.

The Village will maintain the brochure rack at Village Hall, continue to use the Village Facebook page for public education purposes, and will use the Village's newly updated web-site as a tool for further public education by posting newsletters. The Village will also continue their Village Green Clean Day and Hazardous Household Waster Day as public outreach events.

2.0 Minimum Control Measure 2: Public Involvement/Participation

In compliance with the Village of Voorheesville's coverage under GP 0-15-003, the following measures regarding the public's ability to participate in the stormwater management program have been documented.

2.1 Open Meetings Law

The Village of Voorheesville has an active public involvement program, and follows the State Open Meetings Law when implementing elements of the program so as to ensure adequate notification of the public. In addition, opportunities for participation are noted on the website as appropriate.

2.2 Identification of Stakeholders

Several key groups and/or individuals, both public and private, are interested in or affected by the stormwater management program. They have been identified by the Village such that their input and participation can be requested and tracked when appropriate. The following groups and individuals have been identified, as well as the type of SWMP input (list not exhaustive) that will be solicited from them during implementation of the SWMP:

- Village Board of Trustees
  - Local Laws (modifications to, and public notice of)
  - Public outreach materials and budget (determination of materials and available funds)
  - Presentation of annual report (public notice and documentation of comments)
- Village of Voorheesville Public Works Department
  - Community hotline (efficacy and utilization)
  - Good housekeeping/pollution prevention plan (specific best management practices and their effectiveness)
  - Training (type and frequency)
  - Illicit discharge detection and elimination (procedure and outcomes)
  - Inspection of construction sites (general compliance observations)
  - Inspection of stormwater management facilities (procedure and condition)

- Village of Voorheesville Planning Commission
    - Training (type and frequency)
- Local Developers
    - Education and outreach (receptiveness to and effectiveness of)
    - Construction control measure (efficacy and feasibility)
- Conservation Advisory Council
    - Participation activities (e.g., storm drain stenciling, clean-ups, volunteer mobilization, etc)

2.3 Public Involvement and Participation Opportunities

The Village provides the following opportunities for the public to play a role in the SWMP:

- Community Stormwater Hotline – This phone number is listed on the stormwater webpage
- Annual Report Comments – The annual report process follows the State Open Meetings Law and comments will be tracked and addressed as appropriate
- SWMP Comments – The SWMP will be posted online, along with an invitation for comments and/or questions
- Annual Village Green Clean Day
- Stream Clean-up Day
- Hazardous Waste Collection Day
- Adopt-a-Highway Day

2.4 Local Stormwater Public Contact

The Village of Voorheesville lists, on public outreach and public participation materials as well as online, the title and contact information for the stormwater point of contact.

2.5 Annual Report Presentation

The annual report will be submitted by the Village of Voorheesville by June 1. Presentation of the annual report will be online, via the Village's stormwater webpage, after appropriate public notice has been made. The public will be invited to review the document and provide comments or request a meeting. Public notice of the availability of the annual report will be in accordance with local public notice requirements and will include the following:

- Publication of availability of the annual report in the local newspaper
- Announcement at the May Village Board of Trustees meeting of the start and end dates for the public comment period, as well as directions on how the public can provide comment
    - Comments received prior to submission of the annual report will be incorporated as appropriate and a summary of comments will be provided within the content of the annual report; all others will be addressed in the following year's annual report.

2.6 Measurable Goals

Measurable Goals	Goal
Number of cleanup events	>1
Number of comments received on stormwater management plan.	Track annually and evaluate trends
Square feet of plantings	Track annually and evaluate trends
Number of storm drain markings	Track annually and evaluate trends
Number of individuals notified via list-serve of availability of the annual report	Track annually and evaluate trends
Number of comments received on annual report	Track annually and evaluate trends

3.0 Minimum Control Measure 3: Illicit Discharge Detection and Elimination

The Illicit Discharge Detection and Elimination (IDDE) element of the MS4 stormwater program is focused on identifying and removing non-stormwater flows from the stormwater. This program is designed to enable the MS4, through both programmatic and administrative (legal) mechanisms to:

- Identify presence of an illicit discharge
- Track the source of an illicit discharge
- Prevent future illicit discharges

The Village of Voorheesville has adopted the following program measures:

1. Implement and enforce a program to detect and eliminate illicit discharges.

   Every five years, Village personnel will perform an outfall reconnaissance inventory (outfall inspections). This inspection activity will target all identified outfalls (see Appendix C) and will be performed during dry weather and not within 24 hours of a 1" or greater rainfall event. During the outfall inspections, the inspector will fill out an inspection form for each outfall and document each location with at least one representative photo. See Appendix D for a sample inspection form.

   At the completion of the inspection, the inspector will provide all relevant Village personnel with a summary of any identified illicit discharges. Village personnel will perform a follow-up field visit within one week of receiving the summary document to confirm the presence of the illicit discharge, if not already confirmed during the inspection.

   If presence of an illicit discharge is confirmed, the Village's Stormwater Officer will proceed with tracking the source of the illicit discharge and will seek termination of the illicit discharge through the local law mechanism.

   Delayed compliance, when an owner of the illicit discharge has been identified, will be reported to the NYSDEC for support and follow-up.

Geographic Areas of Concern	Noted in Minimum Control Measure 1
Available Staff	Existing DPW field personnel and consultants
Available Equipment	City fleet trucks will be used as needed for cleaning illegal dump sites
Available Funding	The ORI program is funded through salary for existing positions

2. Maintain a map, at a minimum within the covered entity's jurisdiction in the urbanized area and additionally designated area, showing:

   - The location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls – The Village of Voorheesville maintains a digital map identifying all outfalls, with 33 identified as of the date of this report, as well as labels for all surface waters receiving discharge from those outfalls.
   - The preliminary boundaries of the covered entity's storm sewersheds – The map contains boundaries of all 16-digit HUC watersheds as they relate to the location of each mapped outfall for the Village of Voorheesville

3. Field verify outfall locations.

   Outfall locations are confirmed during the outfall reconnaissance inventory. Outfalls that are not found will be removed from the map after confirmation that there is no flow from previously identified upstream sources conveyed to that location. Outfalls that are identified that are not included on the map will be added.

4. Prohibit, through a law, ordinance, or other regulatory mechanism, illicit discharges into the small MS4 and implement appropriate enforcement procedures and actions.

   The Village's Illicit Discharge Local Law has been certified and implemented. See Appendix E.

5. Inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste, and maintain records of notifications.

   Illegal dumping/illicit discharge educational pamphlets will be included in the materials available to the public, and the staff will receive illicit discharge training, along with other relevant MS4 training, annually.

6. Address the categories of non-stormwater discharges or flows listed in Part I.A.2 as necessary.

   To date, the Department has not determined that one or more of the discharges listed in the reference section of the permit is a substantial contributor of

pollutants to the MS4, yet if that should change the discharge will be considered illicit.

7. Develop (for newly authorized MS4s), record, periodically assess, and modify as needed, measurable goals; and

   Measurable goals are listed herein, and are assessed annually during the annual report cycle.

8. Select and implement appropriate IDDE BMPs and measurable goals to ensure the reduction of all POCs in stormwater discharges to the MEP.

   These are noted under Minimum Control Measure 6, with several BMP sheets identified for various activities.

3.1 Measurable Goals

The Village of Voorheesville is assessing the success of Minimum Control Measure 3 of its SWMP through the following measurable goals:

Measurable Goals	Goal
Number of new stormwater outfalls mapped	Map 100% of new outfalls annually
Percent completion of storm sewershed mapping	100%
Number of outfalls inspected and percentage of total Number of outfalls in municipality: 33	Inspect 100% every 5 years
Number of outfalls with suspected illicit discharges	0
Number of outfalls with confirmed illicit discharges	0
Number of illicit discharges tracked to source	100% of confirmed discharges tracked
Number of illicit discharges eliminated	Remove 100% of confirmed discharges
Number of enforcement actions issued for illicit discharges and resulting rate of compliance	100% compliance following enforcement
Percent of outfalls with ORI	100% of outfalls
Percent of staff in relevant positions that have received IDDE training	100% of responsible individuals trained
Number of illegal dumps reported by citizens	Track annually and evaluate trends
Number of illegal dump cleanups completed	Track annually and evaluate trends
Number of illegal dumping violators apprehended	Track annually and evaluate trends
Number of suspected illicit discharges reported by citizens	Track annually and evaluate trends

4.0 Minimum Control Measure 4: Construction Site Stormwater Runoff Control

The Construction Site Stormwater Runoff Control element of the MS4 stormwater program is focused on ensuring construction projects that disturb one acre or more do not cause or contribute to water quality violations. This program is designed to enable the MS4, through both programmatic and administrative (legal) mechanisms to:

- Review stormwater pollution prevention plans
- Inspect active construction sites
- Enforce construction site compliance

The Village of Voorheesville has adopted the following program measures:

1. Provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

   Every project disturbing one or more acre is required to prepare a stormwater pollution prevention plan (SWPPP), which is reviewed by the Village Designated Engineer against the standards set forth in the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

2. Addresses stormwater runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from construction activity disturbing less than one acre must be included in the program if:

   - That construction activity is part of a larger common plan of development or sale that would disturb one acre or more; or
   - If controlling such activities in a particular watershed is required by the Department;

   Every project disturbing one or more acre is required to prepare a SWPPP, which is reviewed by the Village or the Village Designated Engineer against the standards set forth in the NYS SPDES General Permit for Stormwater Discharges from Construction Activities. Additionally, projects that disturb less than one acre but are part of a larger common plan of development or sale are also required to prepare a SWPPP.

3. Includes a law, ordinance or other regulatory mechanism to require a SWPPP for each applicable land disturbing activity that includes erosion and sediment controls that meet the State's most current technical standards.

   The Village has certified and implemented an Erosion and Sediment Control Law (see Appendix F).

4. Contains requirements for construction site operators to implement erosion and sediment control management practices and control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality, pursuant to the requirement of construction permit.

   This is inherently included in the Village's Erosion and Sediment Control Law and is enforced via site inspections.

5. Allows for sanctions to ensure compliance to the extent allowable by State law.

   The Village has the authority to issue Notices of Violation and Stop Work Orders, which are tracked annually.

6. Describes procedures for SWPPP review with consideration of potential water quality impacts and review of individual SWPPPs to ensure consistency with State and local sediment and erosion control requirements:

   - Ensure that the individuals performing the reviews are adequately trained and understand the State and local sediment and erosion control requirements;
   - All SWPPPs must be reviewed for sites where the disturbance is one acre or greater; and
   - After review of SWPPPs, the covered entity must utilize the MS4 SWPPP Acceptance Form created by the Department and required by the SPDES General Permit for Stormwater Discharges from Construction Activity when notifying construction site owner / operators that their plans have been accepted by the covered entity.

   The Village utilized the professional services of a Village Designated Engineer for SWPPP review, and requires that an MS4 SWPPP Acceptance Form be submitted for signature as well.

7. Describes procedures for receipt and follow up on complaints or other information submitted by the public regarding construction site storm water runoff.

   Complaints are addressed by the Stormwater Management Officer or, when necessary, the Village Designated Engineer. A complaint prompts a site visit and inspection, after which the necessary measures are taken.

8. Describes procedures for site inspections and enforcement of erosion and sediment control measures including steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water;

   - The covered entity must ensure that the individual(s) performing the inspections are adequately trained and understand the State and local sediment and erosion control requirements. Adequately trained means receiving inspector training by a Department sponsored or approved training.
   - All sites must be inspected where the disturbance is one acre or greater.
   - Covered entities must determine that it is acceptable for the owner or operator of a construction project to submit the Notice of Termination (NOT) to the Department by performing a final site inspection themselves or by accepting the Qualified Inspector's final inspection certification(s) required by the SPDES General Permit for Stormwater Discharges from Construction Activity. The principal executive officer, ranking elected official, or duly authorized representative (see Part VI.J.) shall document their determination by signing the "MS4 Acceptance" statement on the NOT.

   Sites are inspected based on the NYSDEC site inspection form, as well as against any standards pertaining to the unique features of the project site. These inspections are performed by the Stormwater Management Officer (SMO) who requests compliance. If compliance is not reached within a reasonable time frame, or if the condition worsens, a Stop Work Order is issued. As there is limited development in the Village, sites are not prioritized as all are inspected more than once. Notices of Termination are filed at such a time that sites have reached final stabilization.

9. Educates construction site owner/operators, design engineers, municipal staff and other individuals to whom these regulations apply about the municipality’s construction stormwater requirements, when construction stormwater

requirements apply, to whom they apply, the procedures for submission of SWPPPs, construction site inspections, and other procedures associated with control of construction stormwater;

The Village utilizes Consulting Engineers for many SWPPP reviews, and the Consulting Engineers are well-educated about the MS4 program and work closely with the Village regarding any details unique to the Village. Site owner/operators are educated during preliminary site review meetings with Village personnel. Municipal staff attends training and all relevant staff are made aware verbally or via e-mail of program requirements.

10. Ensures that construction site operators have received erosion and sediment control training before they do work within the covered entity's jurisdiction and maintain records of that training.

    The Village requires proof of 4-hr certification from contractors working on sites disturbing one or more acres. This proof may be provided via a 4-hr certified trainer card or certificate and is maintained in the SWPPP file. Expired certifications must be renewed prior to the start of work.

11. Select and appropriate construction stormwater BMPs and measurable goals to ensure the reduction of all POCs in stormwater discharges to the MEP.

    These are noted under Minimum Control Measure 6, with several BMP sheets identified for various activities.

4.1 Measurable Goals

The Village of Voorheesville is assessing the success of Minimum Control Measure 4 of its SWMP through the following measurable goals:

Measurable Goals	Goal
Number of SWPPPs reviewed	Track annually and evaluate trends
Number and type of enforcement actions	0
Percent of active construction sites inspected once	100%
Percent of active construction sites inspected more than once	100%
Number of construction sites authorized for disturbances of one acre or more	Track annually and evaluate trends

5.0 Minimum Control Measure 5: Post-Construction Site Stormwater Runoff Control

The Post-Construction Site Stormwater Runoff Control element of the MS4 stormwater program is focused on ensuring built projects that disturb one acre or more do not cause or contribute to water quality violations. This program is designed to enable the MS4, through both programmatic and administrative (legal) mechanisms to:

- Inspect and maintain post-construction stormwater management practices.
- Inventory new post-construction stormwater management practices.

The Village of Voorheesville has adopted the following program measures:

1. Provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

   Every project disturbing one or more acre is required to prepare a stormwater pollution prevention plan (SWPPP), which is reviewed by the Village Designated Engineer against the standards set forth in the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

2. Addresses stormwater runoff to the small MS4 from development and redevelopment projects to the small MS4 from projects that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from construction activity disturbing less than one acre must be included in the program if:

   - That construction activity is part of a larger common plan of development or sale that would disturb one acre or more; or
   - If controlling such activities in a particular watershed is required by the Department.

   Every project disturbing one or more acre is required to prepare a SWPPP, which is reviewed by the Village or the Village Designated Engineer against the standards set forth in the NYS SPDES General Permit for Stormwater Discharges from Construction Activities. Additionally, projects that disturb less than one acre but are part of a larger common plan of development or sale are also required to prepare a SWPPP. All post-construction stormwater management practices are inspected prior to final sign-off of the Notice of Termination.

3. Includes a law, ordinance or other regulatory mechanism to require construction runoff controls from new development and re-development projects to the extent allowable under State law that meet the State's most current technical standards.

   The Village has certified and implemented an Erosion and Sediment Control Law (see Appendix F).

4. Includes a combination of structural or non-structural management practices (according to standards defined in the most current version of the NYS Stormwater management Design Manual) that will reduce the discharge of pollutants to the MEP.

   The Village's Building Codes, Overlay Districts, Zoning Code, Comprehensive Plan, and Local Laws are used to implement Low Impact Development, Better Site Design, and Green Infrastructure Principles.

5. Describes procedures for SWPPP review with consideration of potential water quality impacts and review of individual SWPPPs to ensure consistency with state and local post-construction stormwater requirements;

   All projects that disturb one acre or more are required to prepare a SWPPP for review. SWPPPS are reviewed by the Village's Designated Engineer (VDE), who is qualified via training and continuing education to review hydrologic and hydraulic calculations, stormwater management design, and general site design among other elements of projects. The VDE provides a summary of comments and observations to the Village for review and consideration.

7. Maintain an inventory of post-construction stormwater management practices within the covered entities jurisdiction.

   The Village's inventory, which is maintained in an electronic database, includes: location of practice and type of practice. The Village also keeps a copy of required maintenance guidelines per the NYS Stormwater Management Design Manual (see Appendix G) and a log of dates and type of maintenance performed (see Appendix H).

8. Ensures adequate long-term operation and maintenance of management practices identified by trained staff, including inspection to ensure that practices are performing properly.

   The Village Stormwater Management Officer (SMO) is provided with the proper inspection forms for each permanent stormwater management practice prior to

inspection. Questions or issues that cannot be answered by the SMO are directed to the VDE.

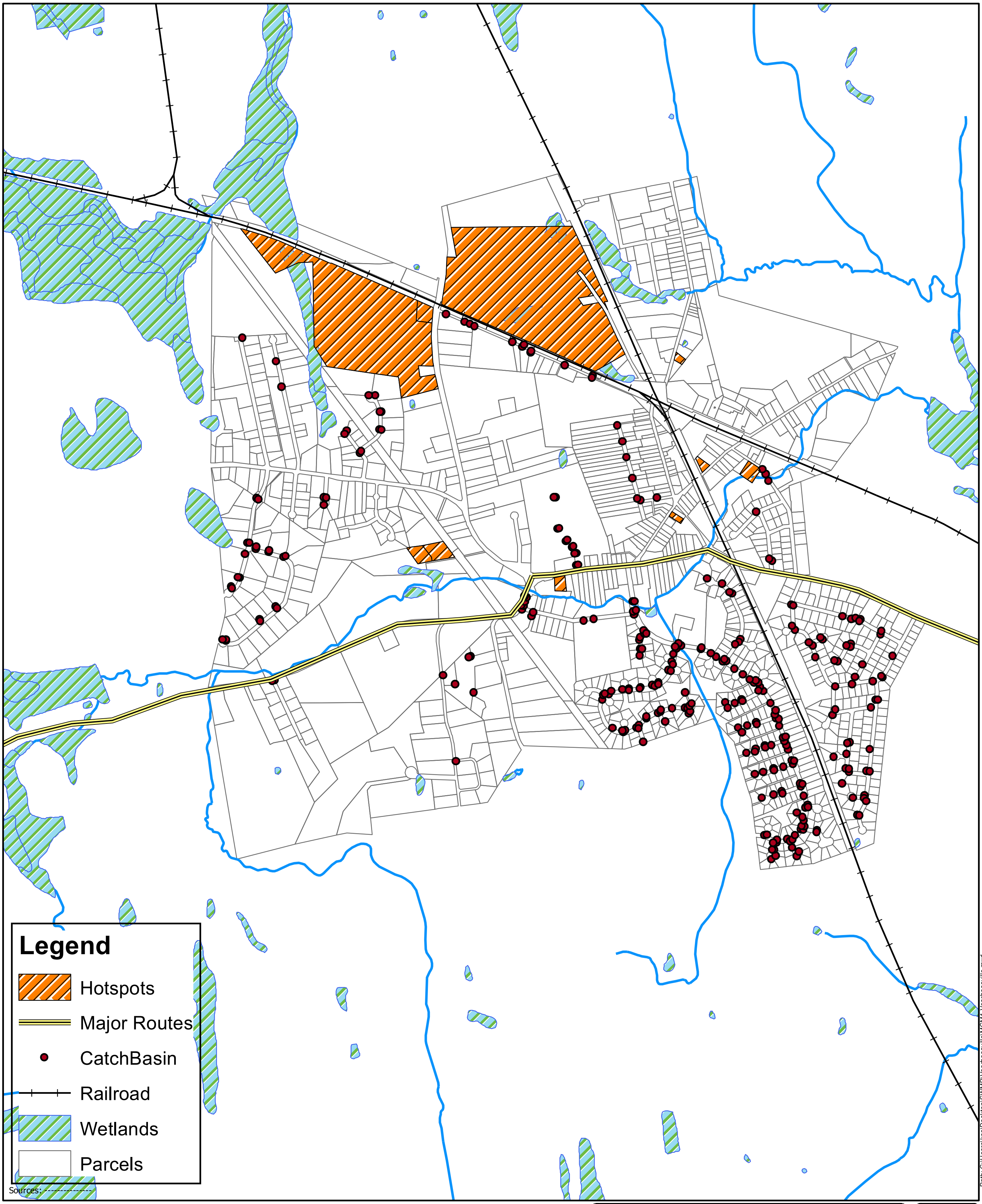
5.1 Measurable Goals

The Village of Voorheesville is assessing the success of Minimum Control Measure 5 of its SWMP through the following measurable goals:

Measurable Goals	Goal
Number of *SWPPPs* reviewed	Track annually and evaluate trends
Number and type of enforcement actions	0
Number and type of post-construction stormwater management practices inventoried	NA
Number and type of post-construction stormwater management practices inspected	100% every three years
Number and type of post-construction stormwater management practices maintained	Track annually and evaluate trends

Appendix A

Hot Spot Map



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Barton & Loguidice, D.P.C.

Engineers • Environmental Scientists • Planners • Landscape Architects

1 inch = 1,575 feet

Voorheesville MS4

Voorheesville Geographic Areas of Concern

Albany County | May 2016 | New York

Project No. 966.033.001

Appendix B

Copies of All Leaflets Distributed

Stormwater Coalition of Albany County

A partnership to protect water quality

A number of communities and government agencies in Albany County have joined together to develop a stormwater management program to protect our waterways and enhance our quality of life. The goal of the Coalition is to utilize County-wide collaboration to identify existing resources and develop programs to reduce the negative impacts of stormwater pollution.

The Coalition, formed in 2008 via an intermunicipal agreement, meets monthly to develop and implement a stormwater management program which complies with New York State's Phase II Stormwater regulations.

Members

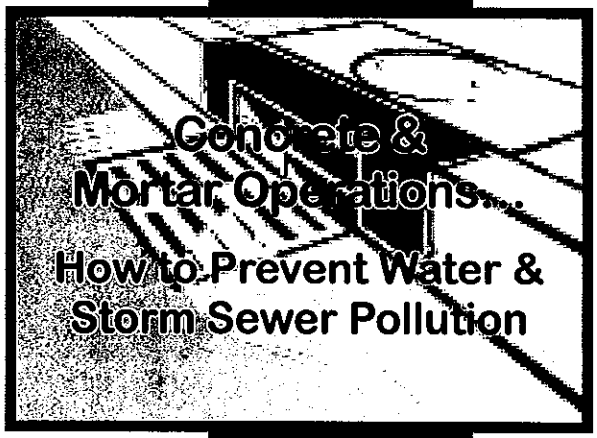
Albany County
City of Albany
Town of Bethlehem
City of Cohoes
Town of Colonie
Village of Colonie
Village of Green Island
Town of Guilderland
Village of Menands
Town of New Scotland
City of Watervliet
Village of Voorheesville
SUNY-Albany

Supporters

Capital District Regional Planning Commission
Albany County Soil and Water Conservation District

For information about the Coalition and how it is working to address the requirements of the Phase II Stormwater Rule, contact the Stormwater Coalition of Albany County.
E-mail address: swcoalition@albanycounty.com

Stormwater Coalition of Albany County



Concrete & Mortar Operations...

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Masons & Bricklayers
- Home Builders
- General Contractors
- Developers
- Concrete Providers
- Sidewalk Construction Crews
- Patio
- Construction Crews
- Construction Inspectors

Stormwater Coalition of Albany County

Stormwater Pollution

What is Stormwater?

Stormwater is water from rain or melting snow that does not soak into the ground. It flows from rooftops, over paved areas, bare soil, and sloped lawns. As it flows, stormwater runoff collects and transports soil, animal waste, salt, pesticides, fertilizers, oil and grease, debris and other potential pollutants.

What is the Problem?

Rain and snowmelt wash pollutants from streets, construction sites, and land into storm sewers and ditches. Eventually, the storm sewers and ditches empty the polluted stormwater directly into streams and rivers with no treatment. This is known as *stormwater pollution.*

Polluted stormwater degrades our lakes, rivers, wetlands and other waterways. Nutrients such as phosphorous and nitrogen can cause the overgrowth of algae resulting in oxygen depletion in waterways. Toxic substances from motor vehicles, and careless application of pesticides and fertilizers threaten water quality and can kill fish and other aquatic life. Bacteria from animal wastes and improper connections to storm sewer systems can make lakes and waterways unsafe for wading, swimming and fish consumption. Eroded soil is a pollutant as well. It clouds the waterway and interferes with the habitat of fish and plant life.

Fortunately, stormwater pollution can be prevented or minimized by implementing Stormwater Management Practices which are procedures or activities that reduce or eliminate pollutants in stormwater.

How to Prevent Pollution from Concrete & Mortar Work

Fresh concrete and mortar that washes into lakes and streams via stormwater are toxic to fish and the aquatic environment.

Best Management Practices

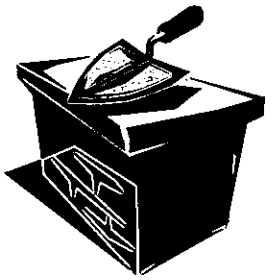
General Practices

- Identify concrete mixer washout areas in your yard, away from storm sewers, ditches and waterways. Allow washwater to flow into a temporary waste pit; dispose/recycle hardened concrete.
- Do not use diesel fuel as a lubricant on concrete forms, tools or trailers.
- Secure open bags of cement and keep cement powder away from streets, gutters, storm sewers, rainfall and runoff.
- Protect both dry and wet materials from rainfall and runoff by storing under cover. Avoid storing materials near storm sewers, ditches and waterways.

Best Management Practices

Operational Practices

- Mix only enough concrete or mortar for a two hour period.
- Use tarps or heavy plastic under mixers.
- Protect fresh applications from rainfall and runoff until material is dry.
- When cleaning, sweep or wash fines onto a dirt area, not a street, gutter or storm sewers.
- Never dispose or washout into the street, gutter, storm sewers, ditch or waterways.
- Wash chutes onto dirt areas to prevent contaminated water from flowing into streets, gutters, storm sewers or ditches.
- Block nearby storm sewers with sandbags if necessary.



Stormwater Coalition of Albany County

A partnership to protect water quality

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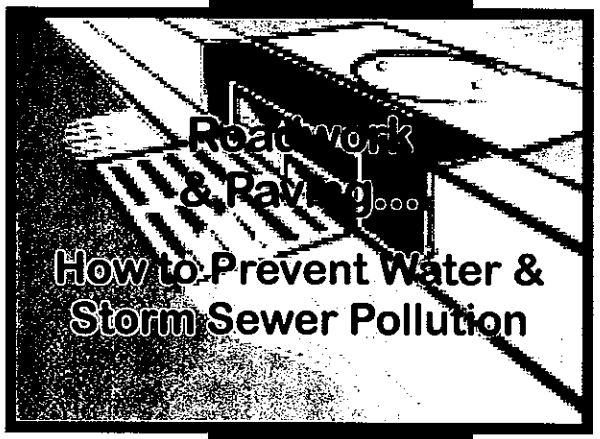

Best Management Practices for:

- Asphalt Paving Providers
- General Contractors
- Developers

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Stormwater Pollution

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How to Prevent Pollution from Roadwork and Paving

Road paving, surfacing and pavement removal activities contribute to stormwater pollution because they take place on roads where stormwater runoff can be contaminated with asphalt, saw-cut slurry or excavated material.

Best Management Practices

General Practices

- Protect both dry and wet materials from rainfall and runoff by storing under cover.
- Avoid storing materials near storm sewers, ditches and waterways.
- Schedule excavation and grading work for dry weather.
- Implement NYSDEC approved erosion and sediment control BMPs for embankments.
- Recycle used oil, concrete and waste asphalt.

Equipment Maintenance

- Maintain all vehicles and heavy equipment regularly; inspect frequently for leaks.
- Conduct all vehicle and equipment maintenance and refueling at one location, away from storm drains.
- Perform major vehicle and equipment repairs and washing off site.
- Do not use diesel oil to lubricate equipment or parts.

Best Management Practices

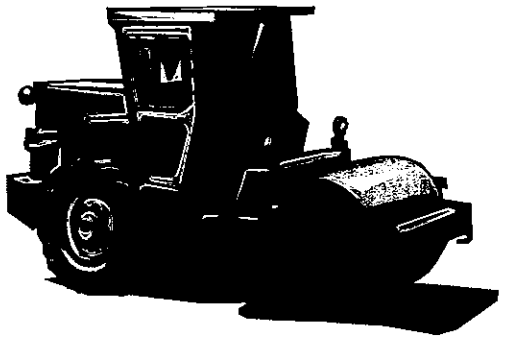
(continued)

Asphalt and Concrete Removal

- After breaking up paving, be sure to remove all chunks and pieces. Recycle them at a crushing company.
- Shovel or vacuum saw-cut slurry and remove from site.
- Cover or barricade storm drain inlets during saw-cutting.

During Construction

- Cover catch basins and maintenance access points when applying seal coat, slurry seal and fog seal.
- Use check dams, ditches or berms to divert runoff around excavations.
- Never wash excess materials into a street, gutter or storm drain.
- Avoid over-application by water trucks for dust control.



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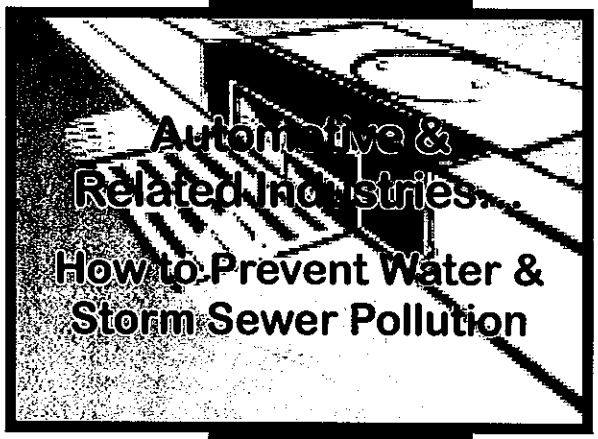

Automotive & Related Industries...

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Gas Stations
- Auto Repair Shops
- Mechanics
- Auto Detailers
- Auto Dealerships
- Collision & Paint Shops
- Car Rental Agencies
- Car Wash Shops
- Tire Shops
- Auto Salvage

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How to Prevent Pollution from Automotive & Related Industries

Pollutants from automotive-related activities that enter municipal storm drain systems will harm aquatic life and impair our drinking water supplies. Floating materials, such as debris and automotive fluids, also pollute our lakes and streams and reduce the natural beauty of our waterways. This results in a negative impact on the aesthetics of our natural resources and on tourism/recreation opportunities.

Best Management Practices

- Employee training is essential to reinforce proper disposal practices.
- Minimize use of water to clean floors. A damp mop or wet vac should be used instead. Use kitty litter to clean up an oil spill and dispose of as hazardous waste.
- Tanks, pumps, fittings, pipes and containers should be inspected routinely for integrity and leaks.
- Never hose down bays into storm drains. Contain wash water and dispose of through sanitary sewer.
- Recycle grease and oil—DON'T pour into sinks, floor drains or parking lots.
- Identify the nearest storm drain and keep fluids away from it.
- Use high volume, low pressure spray paint equipment to achieve high transfer efficiency.
- Dispose of solvent only when it loses its effectiveness, not just because it looks dirty.
- Use mechanical stripping methods instead of paint removers. Give leftover paint to customers or donate to trade schools.

Best Management Practices

(continued)

- Combine transmission and brake fluid. It is not cost effective to recycle these separately.
- Keep used oil separate from parts cleaning solvents, antifreeze and fuel.
- Recycle oil, antifreeze, tires and batteries.
- Fit all storage tanks with spill containment and overfill prevention system.
- Never pour liquids or dry materials down a storm drain.
- Use drip pans to capture fluids. Use absorbent cleaning agents instead of water to clean work areas.
- Collect bulk grease in containers and contact a firm to recycle waste into a useful by-product.
- Flush parts with dirty solvent first and then rinse clean with virgin solvent.
- Pour wash water into a janitorial sink—NOT outside in a parking lot, alley or sidewalk/street.
- To prevent storm water discharge, avoid working in outdoor areas. If this isn't possible, grade, pave or berm outdoor areas to collect discharge in a sanitary sewer drain.
- Eliminate the use of chlorinated solvents, which are highly toxic and hard to dispose of. Use detergents or water based parts cleaners.
- Capture crusher fluids to prevent spillage. Do not allows fluids to drain into the ground.

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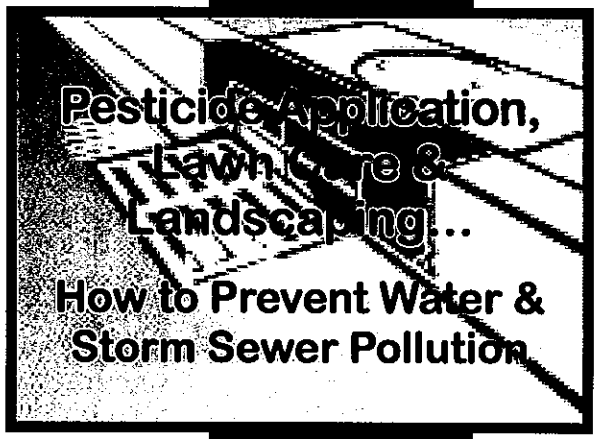

Best Management Practices for:

- Landscapers
- Pesticide Applicators
- Lawn Maintenance Crews
- Developers
- Home Builders
- Patio & Deck Contractors
- Homeowners
- Construction Inspectors

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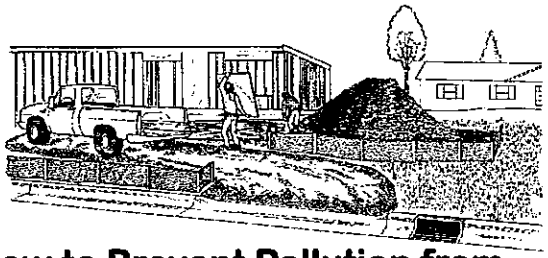

How to Prevent Pollution from Landscaping and Lawn Care

Best Management Practices

- Cover and contain topsoil and mulch during installation
- Plant rain gardens of native drought– and pest-resistant plants to collect and filter rainwater
- Plant vegetated filter areas or swales to trap pollutants along streets and driveways
- Install pervious pavement and gravel driveways to reduce stormwater runoff
- Do not drain swimming pools to storm drains or road ditches
- Install vegetative buffers along streams and drainage pathways
- Compost or mulch leaves and yard debris rather than hauling to dumps
- Direct downspouts away from driveways or storm drains, or install rain barrels to collect roof runoff
- Maintain septic systems to prevent failure and inspect every 3 years
- Sweep up litter and debris from driveways and parking lots rather than hosing debris into storm drains
- Install and maintain sediment and erosion control measures during soil disturbing activities
- Reduce amount of paved surfaces

How to Prevent Pollution from Pesticide Applications

Everything you apply to the lawn can potentially contaminate surface and ground waters.

Best Management Practices

- Triple rinse and recycle empty pesticide and fertilizer containers
- Use proper spray notification signage and comply with neighbor notification regulations
- Comply with NYS Department of Environmental Conservation pesticide application regulations
- Use Integrated Pest Management (IPM) to avoid runoff or leaching from excess chemical applications
- Avoid using chemicals near waterways or storm drains
- Dispose of unused or excess pesticides in accordance with NYS DEC and US EPA regulations
- Clean up spills immediately and properly dispose of cleanup materials
- Fill tanks on a gravel surface, away from storm drains, sewers or ditches
- Avoid spraying in windy conditions or when rain is forecast
- Provide spill containment at storage facilities and store chemicals away from floor drains

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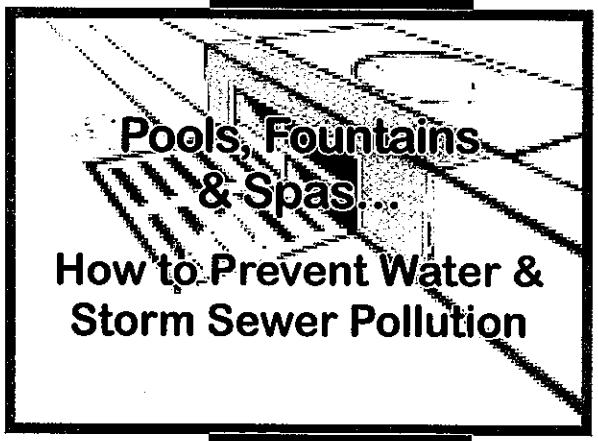

Pools, Fountains & Spas...

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Homeowners
- Condominium & Apartment Complexes
- Hotels, Motels and Inns
- Schools
- Fitness Clubs

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How to Prevent Pollution from Pools, Spas & Fountains

Although we enjoy the fun and relaxing times in them, the water used in swimming pools, spas and fountains can cause problems for our creeks and lakes if not disposed of properly. Draining your pool, spa or fountain improperly can result in chlorine, suspended solids and nutrients entering surface water (streams and lakes).

Best Management Practices

Best Management Practices or BMPs are procedures that help to prevent pollutants like chlorine and sediment from entering storm drains.

Draining Pools, Spas and Fountains:

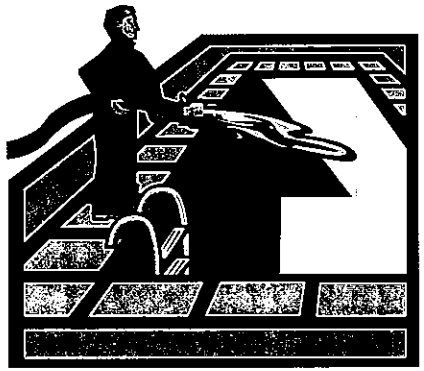
- Never discharge pool, spa, or fountain to a street or storm drain; discharge to a sanitary sewer cleanout.
- If possible, when emptying a pool, spa or fountain, let chlorine dissipate for a few days and then recycle/reuse water by draining it gradually onto a landscaped area.
- Drain pools, spas and fountains slowly, using a low volume pump or siphon.

Best Management Practices (continued)

- Make sure water used to acid wash pool, spa or fountain is neutralized prior to discharge. Soda ash can be used to keep the pH between 6.0 and 7.0 before discharging.
- Do not use copper-based algaecides. Control algae with alternatives such as sodium bromide.

Filter Cleaning:

- Never clean a filter in the street or near a storm drain. Rinse cartridge and diatomaceous earth filters onto a dirt area and spade filter residue into soil. Dispose of spent diatomaceous earth in the garbage.
- If there is no suitable lawn area, call your local wastewater treatment plant for instructions on discharging filter backwash or rinse water to the sanitary sewer.



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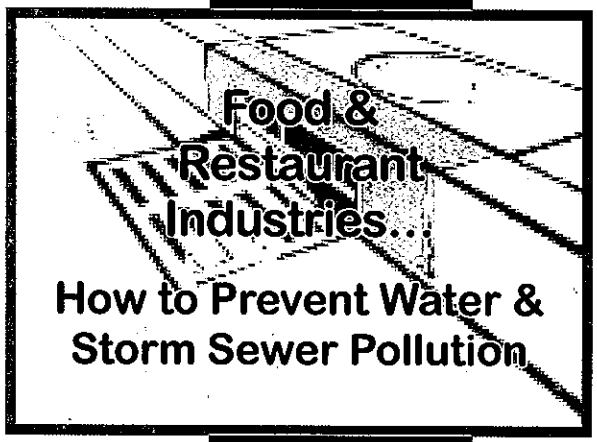

Food & Restaurant Industries...

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Restaurants
- Delis and Bakeries
- Grocery Stores
- Convenience Stores
- Food Stands
- Institutional & Workplace Cafeterias

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How to Prevent Pollution from Food & Restaurant Industries

Fats, oil, grease, floor solvents, cleaning agents, cigarette butts, food waste, paper napkins and styrofoam all contribute to the pollution of our creeks and waterways. By implementing proper cleaning and waste management practices the introduction of these pollutants to our waterways can be avoided.

Food and restaurant-related pollutants invade storm drain systems and increase bacteria levels, which harm aquatic life, cause beach closures and impair our drinking water supplies. Floating materials also pollute our lakes and streams and reduce the natural beauty of our waterways. This results in a negative impact on aesthetics of our natural resources and tourism/ recreation opportunities.

Best Management Practices

General Cleaning Operations

- Clean floor mats, filters and garbage cans in a slop sink, floor drain or proper outside area—NOT the parking lot, alley or sidewalk/street.
- Pour wash water into a janitorial sink—NOT outside in a parking lot, alley or sidewalk/ street.
- Use the least toxic cleaning products available, and use cleaning products sparingly.
- Dispose of cleaners (solvents, floor cleaners and detergents) and cleaning rags properly.
- Use dry methods for spill clean-up—SWEEP instead of hosing. Use cat litter to absorb spills.
- Check parking areas routinely for spills and clean them up immediately.

Best Management Practices

(continued)

Solid Waste Handling & Storage

- Keep dumpster lids closed and the areas around them clean. Do not fill them with liquid waste or hose them out.
- Use plastic bags, tied off, to keep dumpsters free of food debris. Never place liquid waste or leaky garbage bags into a dumpster.
- Have clean-up materials readily accessible near the dumpster and loading dock areas in case of an accidental spill.
- Keep dumpster and dumpster enclosures locked to prevent illegal dumping.
- Keep outdoor litter from accumulating by providing trash receptacles and encourage employees and patrons to use them.
- Sweep outside areas regularly and put the debris into the garbage instead of sweeping/ hosing into the parking lot or street.

Grease Management

- Install pretreatment equipment, such as a grease interceptor.
- Clean grease traps regularly.
- Collect bulk grease in containers and contact a firm to recycle waste into a useful by-product.
- Don't pour grease into sinks, floor drains, trash bins, street gutters, or parking lots.
- Inform employees about these Best Management Practices and include this information in training programs.

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Mobile Cleaners: Carpet, Upholstery Cleaners, & Janitorial Service Providers...

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Carpet Cleaners
- Upholstery Cleaners
- Drapery Cleaners
- Window Washers
- Janitorial & Housekeeping Service Providers
- High Pressure, Steam Cleaners

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How to Prevent Pollution from Commercial Cleaning Agents

Although mobile cleaners and pressure washers discharge waste water at various locations, the following practices are recommended to eliminate discharge into storm sewers.

Best Management Practices

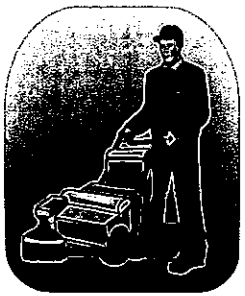
General Practices

- Waste resulting from cleaning activities cannot be discharged into a storm drain.
- Mobile cleaners should have the equipment, materials and personnel to handle a spill. Take preventative action to act quickly to reduce illegal discharge.
- If a spill occurs, use environmentally-friendly products (e.g. kitty litter) to contain the spilled materials. Protect storm drains. Report all spills and discharges that cannot be contained to local authorities for their help.

Best Management Practices

Operational Practices

- All water and detergents, even those that are labeled "nontoxic" or "biodegradable," should be filtered first to remove any solids before discharging into a sanitary sewer. Solids may clog pipes. The solids may be thrown into the garbage, unless they have been contaminated with hazardous materials.
- Washwater from carpet, drapery or furniture cleaning must be discharged into a sink, toilet or other drain connected to a sanitary sewer.
- Never throw washwater into a street, gutter, parking lot or storm drain.
- Dry cleanup first, then wash without soap and then with soap to reduce contaminated runoff.
- Avoid power washing surfaces that may contain lead paint.



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A number of communities and government agencies in Albany County have joined together to develop a stormwater management program to protect our waterways and enhance our quality of life. The goal of the Coalition is to utilize County-wide collaboration to identify existing resources and develop programs to reduce the negative impacts of stormwater pollution.

The Coalition, formed in 2008 via an intermunicipal agreement, meets monthly to develop and implement a stormwater management program which complies with New York State's Phase II Stormwater regulations.

Members

Albany County
City of Albany
Town of Bethlehem
City of Cohoes
Town of Colonie
Village of Colonie
Village of Green Island
Town of Guilderland
Village of Menands
Town of New Scotland
City of Watervliet
Village of Voorheesville
SUNY-Albany

Supporters

Capital District Regional Planning Commission
Albany County Soil and Water Conservation District

For information about the Coalition and how it is working to address the requirements of the Phase II Stormwater Rule, contact the Stormwater Coalition of Albany County.
E-mail address: swcoalition@albanycounty.com

Stormwater Coalition of Albany County

Hospitals, Medical Treatment Centers & Healthcare Facilities:

How to Prevent Water & Storm Sewer Pollution

Best Management Practices for:

- Hospitals
- Satellite Medical Centers
- Blood Collection Labs
- Dentists & Dental Labs
- Clinical Laboratories
- Veterinarians

Stormwater Coalition of Albany County

Stormwater Pollution

What is Stormwater?

Stormwater is water from rain or melting snow that does not soak into the ground. It flows from rooftops, over paved areas, bare soil, and sloped lawns. As it flows, stormwater runoff collects and transports soil, animal waste, salt, pesticides, fertilizers, oil and grease, debris and other potential pollutants.

What is the Problem?

Rain and snowmelt wash pollutants from streets, construction sites, and land into storm sewers and ditches. Eventually, the storm sewers and ditches empty the polluted stormwater directly into streams and rivers with no treatment. This is known as *stormwater pollution.*

Polluted stormwater degrades our lakes, rivers, wetlands and other waterways. Nutrients such as phosphorous and nitrogen can cause the overgrowth of algae resulting in oxygen depletion in waterways. Toxic substances from motor vehicles, and careless application of pesticides and fertilizers threaten water quality and can kill fish and other aquatic life. Bacteria from animal wastes and improper connections to storm sewer systems can make lakes and waterways unsafe for wading, swimming and fish consumption. Eroded soil is a pollutant as well. It clouds the waterway and interferes with the habitat of fish and plant life.

Fortunately, stormwater pollution can be prevented or minimized by implementing Stormwater Management Practices which are procedures or activities that reduce or eliminate pollutants in stormwater.

How to Prevent Pollution from Medical Waste

Medical and hospital waste, like household waste, is largely recyclable. Only 10-15% is regulated medical waste and less than 5% is hazardous waste.

Best Management Practices

Recommended Practices

- Whenever possible, use mercury-free medical products and cleaning agents, which don't contribute to increasing levels of mercury in streams and watersheds. Do not place mercury-containing products (thermometers) in medical waste containers. Products containing mercury should be collected in a single dedicated area and recycled or eliminated as hazardous waste.

- Sink and hopper traps should collect chemicals and other medical waste. They should be opened, cleaned and any combination of water and chemicals should be consolidated (depending on nature of compounds) and recycled.

Best Management Practices

Operational Practices

- Do not mix x-ray fixer with developer. Waste developer may normally be flushed down the drain; but if fixer and developer are mixed, the resulting solution cannot be flushed. Some x-ray film processing units automatically mix fixer and developer; the vendor can provide information on adapter kits that keep fixer separated from the developer.

- Support the development and use of environmentally safe materials, technology and products. Eliminate unnecessary "red bagging."

- Eliminate non-essential incineration of medical waste. Recycle mercury.

- Waste amalgam caught in plumbing traps must be shipped off to a permitted recycler. If amalgam must be sterilized before shipment to recycler, no method that utilizes heat should be used. The heat will cause the mercury to volatilize and be released to the environment.

- Phase out use of mercury, PVC plastics and persistent toxic chemicals in healthcare.

Stormwater Pollution

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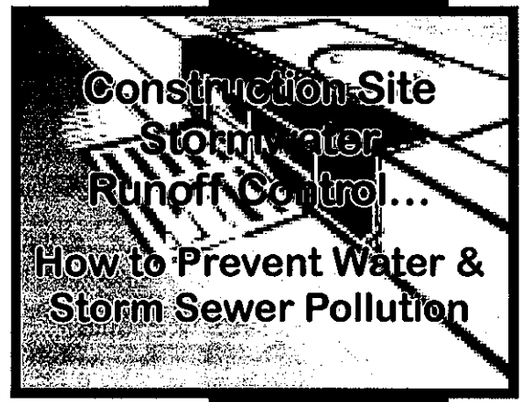
Stormwater Coalition of Albany County



A Summary of Best Management Practices for: The Construction Industry

Stormwater Coalition of Albany County

BMPs for All Construction Sites

Basic pollution prevention practices can significantly reduce the amount of pollution leaving construction sites. When exposed to the elements, construction materials, debris, trash, fuel, paint and stockpiles become pollution sources when it rains. The following practices should be implemented on site:

- Keep potential sources of pollution out of the rain to the maximum extent possible (e.g. inside a building, under a tarp, sealed in containers).
- Clearly identify a protected, lined area for concrete truck washout. This area should be located away from streams, storm drain inlets or ditches and clean out periodically.
- Park, refuel and maintain vehicles and equipment in a designated area on the site to minimize the area exposed to possible spills and fuel storage. Keep spill kits close by and clean up spills and leaks immediately, including those on pavement and earth surfaces.
- Practice good housekeeping. Keep the construction site free of litter, construction debris and leaking containers.
- Never hose down paved surfaces to clean dust, debris or trash as the water could wash directly into storm drains or streams. Sweep up materials and dispose in the trash. Never bury trash or debris.
- Dispose of hazardous materials promptly and properly.

Stormwater and the Construction Industry

As stormwater flows over a construction site, it picks up pollutants such as sediment, debris and chemicals. High volumes of stormwater can also cause streambank erosion and have a negative impact on aquatic habitat. Preventing stormwater pollution is an important responsibility at all construction sites.

Best Management Practices

The following information provides a summary of guidance on a variety of BMPs typically used on construction sites.

Construction Phasing

- Sequence construction activities so that soil is not exposed for long periods of time.
- Schedule or limit grading to small areas.
- Immediately seed areas that will be exposed for 7 days or longer with annual rye.
- Install sediment control practices before any soil disturbance begins.
- Schedule site stabilization activities immediately after the land has been graded to its final contours.

Storm Drain Inlet Protection

- Use appropriate methods to protect the storm drain to filter out trash and debris.
- If inlet filters are used, maintain them regularly.

Silt Fence

- Inspect silt fences after each rainstorm and weekly.
- Make sure the bottom of the silt fence is buried in the ground 6 inches.
- Make sure stormwater does not flow around the silt fence during storm events.
- Don't place silt fence in the middle of a waterway.
- Attach fence securely to stakes. Stakes should be on the downslope side of the fence.

Protect Natural Features

- Identify and protect areas where existing vegetation, such as trees, should not be disturbed by construction activities.
- Protect streams, stream buffers, wild woodlands, wetlands or other sensitive areas from any disturbance or construction activity with fencing or by clearly marking the areas.

Vegetative Buffers

- Protect and install vegetative buffers along waterbodies to slow and filter stormwater runoff.
- Maintain buffers by replanting periodically to ensure their effectiveness (mowing discourages growth of woody vegetation, which actually takes up more runoff).

Slopes

- Rough grade or terrace slopes.
- Break up long slopes with sediment barriers or under drain.
- Divert stormwater away from slopes.

Dirt Stockpiles

- Cover or seed all dirt stockpiles.

Construction Entrances

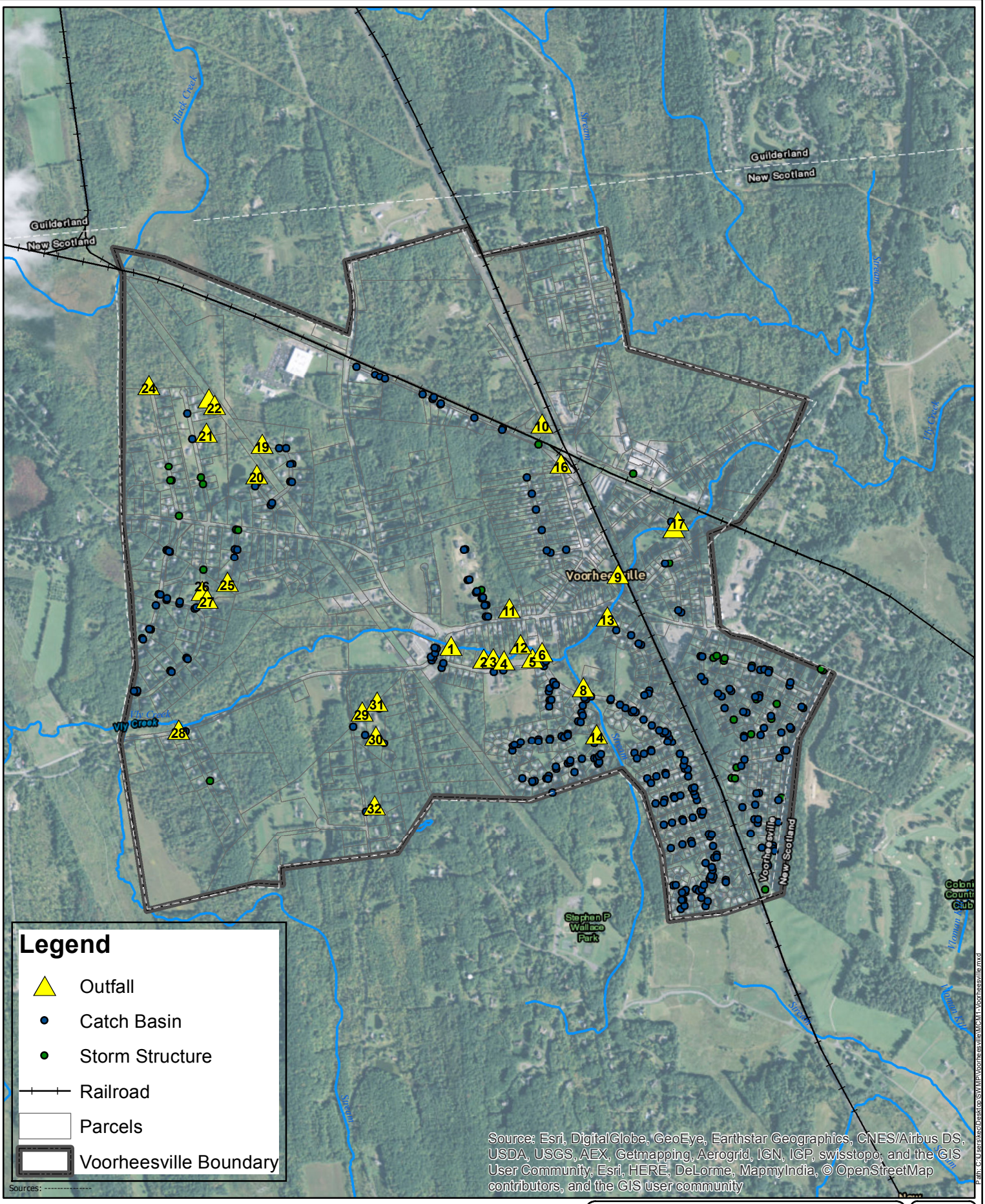
- Remove mud and dirt from the tires of construction vehicles before exiting the construction site onto paved roadways, but do not use water.
- Inspect construction entrance to ensure it does not become buried in soil (Entrance should be maintained with gravel to retain soil on-site).

Site Stabilization

- Vegetate, mulch or otherwise stabilize all exposed areas as soon as land alterations have been completed.

Appendix C

Outfall Map



Barton & Loguidice, D.P.C.

Engineers • Environmental Scientists • Planners • Landscape Architects

1 inch = 1,575 feet

Voorheesville MS4

Voorheesville Stormwater Management Practice Map

Albany County May 2016 New York

Project No. 966.033.001

Appendix D

Outfall Inspection Form

Outfall Inspection Form (3 pages) – Village of Voorheesville

General Information:

Inspector:

Date:

Weather: ☐Overcast ☐Clear ☐Steady Rain ☐Intermittent Showers

Outfall ID #:

Structure and Condition Observations:

Select one: ☐Swale ☐Pipe Other:

Pipe Material: ☐Plastic ☐Metal ☐Concrete Other:

Flow: ☐Dry ☐Trace ☐10% ☐25%
☐50% ☐75% ☐Full

Outfall Structure Condition: ☐Good ☐Poor

Outfall Function Condition: ☐Good ☐Poor

Illicit Discharge Indicators:

Check all that apply to the structure, flow, and flow path:

Visual Indicators:

☐Clear ☐Milky ☐Foam ☐Color ☐Sheen ☐Sanitary Deposits

☐Excess Vegetation ☐Stained ☐Other

If colored, describe: _____

If other, describe:

Olfactory indicators:

☐Sewage ☐Chlorine ☐Fish ☐Rotten Eggs ☐Petroleum

☐Other

If other, describe: _____

Other:

Comments/sketch:

Photos:

Corresponding Photos and Photo Numbers (insert photos below):

Photo #:	Photo #:

Appendix E

Illicit Discharge Law

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City **of** Voorheesville
Town
Village

Local Law No. 3 **of the year 20**06

A local law Storm Water Management + Erosion + Sediment Control
(Insert Title)

Be it enacted by the Board of Trustees **of the**
(Name of Legislative Body)

County
City **of** Voorheesville **as follows:**
Town
Village

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 20 06 of the (County)(City)(Town)(Village) of Voorheesville was duly passed by the Board of Trustees on October 24 20 06, in accordance with the applicable
(Name of Legislative body)
provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*
Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November_____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph_____, above.

Linda M Pasquale

Clerk of the county legislative body, City, Town or (Village Clerk) or officer designated by local legislative body

(Seal)

Date: 11/22/06

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Albany

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

A Horney

Title

County
City of ~~Village~~ Voorheesville
Town
~~Village~~

Date: November 22, 2006

ILLICIT DISCHARGE AND CONNECTION ORDINANCE

SECTION 1 PURPOSE/INTENT

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of the Village of Voorheesville through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the General Permit for Municipal Separate Storm Sewer Systems (SPEDES) permit process. The objectives of this ordinance are:

1.1 To meet the requirements of the SPEDES General Permit for Stormwater Discharges from MS4's, Permit no. GP-02-02 or as amended or revised;

1.2 To regulate the contribution of pollutants to the MS4 by storm water discharges by any user.

1.3 To prohibit illicit connections and discharges to the MS4.

1 . 4 To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this ordinance.

1.5 To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pert waste, wastewater, greases, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

SECTION 2 DEFINITIONS

For the purposes of this ordinance, the following shall mean:

Authorized Enforcement Agency: Employees or designees of the director of the municipal agency designated to enforce this ordinance.

Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity: Activities subject to SPEDES Construction Permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge: Any direct or indirect non-storm water discharge to the storm drains system, except as exempted in Section 8 of this ordinance.

Illicit Connections: An illicit connection is defined as either of the following:

- Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity: Activities subject to SPEDES Permits.

Municipal Separate Storm Sewer System (MS4): The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the Village of Voorheesville and designed or used for collecting or conveying storm water, and that is not used for collecting or conveying sewage.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge: Any discharge to the storm drain system that is not composed entirely of storm water.

Person: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant: Anything, which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System: Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, dry wells, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm Water Management Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm Water, Storm Water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Wastewater: Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 3 APPLICABILITY

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by the Village of Voorheesville.

SECTION 4 RESPONSIBILITY FOR ADMINISTRATION

The Village of Voorheesville shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the Village of Voorheesville may be delegated in writing by the Board of Trustees of the Village of Voorheesville to persons or entities acting in the beneficial interest of or in the employ of the agency.

SECTION 5 COMPATIBILITY WITH OTHER REGULATIONS

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

SECTION 6 SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

SECTION 7 ULTIMATE RESPONSIBILITY

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

SECTION 8 DISCHARGE PROHIBITIONS

8.1. Prohibition of Illegal Discharges.

No person shall throw, drain, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into the MS4 any pollutants or waters containing any pollutants, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(1) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing, landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, de-chlorinated swimming pool discharges, and street wash water.

(2) Discharges or flow from firefighting, and other discharges specified in writing by the Village of Voorheesville as being necessary to protect public health and safety.

(3) Discharges associated with dye testing, however this activity requires a verbal notification to the Village of Voorheesville prior to the time of the test.

(4) The prohibition shall not apply to any non-storm water discharge permitted under a SPEDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the United States Environmental Protection Agency (EPA), provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Note: the Village of Voorheesville may evaluate and remove any of the above exemptions if it is determined that they are causing an adverse impact.

8.2. Prohibition of Illicit Connections.

(1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(3) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

(4) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, or as so determined by the Village of Voorheesville.

(5 Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the Village of Voorheesville requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Village of Voorheesville.

SECTION 9 WATERCOURSE PROTECTION

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property, free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 10 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES

10.1. Submission of NOI to Village of Voorheesville.

(1) Any person subject to an industrial or construction activity SPEDES permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Village of Voorheesville prior to the allowing of discharges to the MS4.

(2) The operator of a facility, including construction sites, required to have an SPEDES permit to discharge storm water associated with industrial activity shall submit a copy of the Notice of Intent (NOI) to the Village of Voorheesville at the same time the operator submits the original Notice of Intent to the EPA as applicable.

(3) The copy of the Notice of Intent may be delivered to the Village of Voorheesville either in person or by mailing it to:

Notice of Intent to Discharge Storm Water
Village of Voorheesville
P.O. Box 367
Voorheesville, New York 12186

(4) A person commits an offense if the person operates a facility that is discharging storm water associated with industrial activity without having submitted a copy of the Notice of Intent to do so to the Village of Voorheesville.

SECTION 11 COMPLIANCE MONITORING

11.1. Right of Entry: Inspection and Sampling.

The Village of Voorheesville shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance.

(1) If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the Village of Voorheesville.

(2) Facility operators shall allow the Village of Voorheesville ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an SPEDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(3) The Village of Voorheesville shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Village of Voorheesville to conduct monitoring and/or sampling of the facility's storm water discharge.

(4) The Village of Voorheesville has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Village of Voorheesville and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(6) Unreasonable delays in allowing the Village of Voorheesville access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with an SPEDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the Village of Voorheesville reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

11.2. Search Warrants.

If the Village of Voorheesville has been refused access to any part of the premises from which storm water is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Village of Voorheesville may seek issuance of a search warrant from any court of competent jurisdiction.

SECTION 12 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES

The Village of Voorheesville will adopt requirements identifying Best Management Practices (BMP's) for any activity, operation, or facility, which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the United States. The owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise that is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the MS4. Compliance with all terms and conditions of a valid SPEDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water management plan (SWMP) as necessary for compliance with requirements of the SPEDES permit.

SECTION 13 NOTIFICATION OF SPILLS

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the Village of Voorheesville in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Village of Voorheesville within two business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least ten years.

Failure to provide notification of a release as provided above is a violation of this ordinance.

SECTION 14 VIOLATIONS, ENFORCEMENT, AND PENALTIES

14.1. Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the Village of Voorheesville is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The Village of Voorheesville is authorized to seek costs of the abatement as outlined in Section 17.

14.2. Warning Notice.

When the Village of Voorheesville finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, the Village of Voorheesville may serve upon that person a written Warning Notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease. Investigation and/or resolution of the matter in response to the Warning Notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the Warning Notice. Nothing in this subsection shall limit the authority of the Village of Voorheesville to take any action, including emergency action or any other enforcement action, without first issuing a Warning Notice.

14.3. Notice of Violation.

Whenever the Village of Voorheesville finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, the Village of Voorheesville may order compliance by written notice of violation to the responsible person.

The Notice of Violation shall contain:

(1) The name and address of the alleged violator;

(2) The address when available or a description of the building, structure or land upon which the violation is occurring, or has occurred;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the Village of Voorheesville by filing a written notice of appeal within two days of service of notice of violation; and

(7) A statement specifying that, should the violator fail to restore compliance within the established time schedule, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

Such notice may require without limitation:

(1) The performance of monitoring, analyses, and reporting;

(2) The elimination of illicit connections or discharges;

(3) That violating discharges, practices, or operations shall cease and desist;

(4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property

(5) Payment of a fine to cover administrative and remediation costs; and

(6) The implementation of source control or treatment BMPs.

14.5. Compensatory Action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this ordinance, the Village of Voorheesville may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

14.6. Suspension Of MS4 Access.

14.6.1. Emergency Cease and Desist Orders

When the Village of Voorheesville finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) has (have) caused or contributed to an actual or threatened discharge to the MS4 or waters of the United States which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the Village of Voorheesville may issue an order to the violator directing it immediately to cease and desist all such violations and directing the violator to:

(1) Immediately comply with all ordinance requirements; and

(2) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

Any person notified of an emergency order directed to it under this Subsection shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the Village of Voorheesville may take such steps as deemed necessary to prevent or minimize harm to the MS4 or waters of the United States, and/or endangerment to persons or to the environment, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The Village of Voorheesville may allow the person to recommence its discharge when it has demonstrated to the satisfaction of the Village of Voorheesville that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this ordinance. A person that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence, to the Village of Voorheesville within two days of receipt of the emergency order.

Issuance of an emergency cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the violator.

14.6.2. Suspension due to Illicit Discharges in Emergency Situations

The Village of Voorheesville may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the Village of Voorheesville may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States, or to minimize danger to persons.

14.6.3. Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Village of Voorheesville will notify a violator of the proposed termination of its MS4 access. The violator may petition the Village of Voorheesville for a reconsideration and hearing.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the Village of Voorheesville.

14.7. Civil Penalties.

In the event the alleged violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within two days, or such greater period as the Village of Voorheesville shall deem appropriate, after the Village of Voorheesville has taken one or more of the actions described above, the Village of Voorheesville may impose a penalty not to exceed $ 37,500 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

14.8. Criminal Prosecution.

In addition to the civil penalties described above, any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of $ 250 per violation per day and/or imprisonment for a period of time not to exceed 15 days. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

SECTION 15 APPEAL OF NOTICE OF VIOLATION

Any person receiving a Notice of Violation may appeal the determination of the Village of Voorheesville. The notice of appeal must be received within two days from the date of the Notice of Violation. Hearing on the appeal before the Zoning Board of Appeals may be conducted within two days from the date of receipt of the notice of appeal. The decision of the Zoning Board of Appeals shall be final.

SECTION 16 ENFORCEMENT MEASURES AFTER APPEAL

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within two days of the decision of the Zoning Board of Appeals, then representatives of the Village of Voorheesville shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above. Regardless of the time to remedy, the owner, agent or person in possession of the premises is responsible for all violations and costs to remedy.

SECTION 17 COST OF ABATEMENT OF THE VIOLATION

Within two days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within two days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this article shall become liable to the Village of Voorheesville by reason of such violation.

SECTION 18 VIOLATIONS DEEMED A PUBLIC NUISANCE

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

SECTION 19 REMEDIES NOT EXCLUSIVE

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Village of Voorheesville to seek cumulative remedies.

The Village of Voorheesville may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 20 ADOPTION OF LOCAL LAW

All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED AND ADOPTED this 24th day of October, 2006, by the following vote: Unanimous.

Appendix F

Erosion and Sediment Control (ESC) Law

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City **of** Voorheesville
Town
Village

Local Law No. 3 **of the year 20**06

A local law Storm Water Management + Erosion + Sediment Control
(Insert Title)

Be it enacted by the Board of Trustees **of the**
(Name of Legislative Body)

County
City **of** Voorheesville **as follows:**
Town
Village

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 20 06 of the (County)(City)(Town)(Village) of Voorheesville was duly passed by the Board of Trustees on October 24 20 06, in accordance with the applicable
(Name of Legislative body)
provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____.
(Elective Chief Executive Officer)*
Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ on _____ 20____. Such local
(Elective Chief Executive Officer)*
law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20_____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20_____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November_____ 20_____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph_____, above.

Linda M Pasquale

Clerk of the county legislative body, City, Town or (Village Clerk) or officer designated by local legislative body

(Seal)

Date: 11/22/06

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Albany

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

A Horney

Title

County
City of ~~Village~~ Voorheesville
Town
~~Village~~

Date: November 22, 2006

Stormwater Management and Erosion & Sediment Control

A local law to amend the Zoning Law of the Village of Voorheesville,
Local Law Number 3 of the Year 2006.

Be it enacted by the Village Board of Trustees of the Village of Voorheesville as follows:

ARTICLE 1 GENERAL PROVISIONS

Section 1. Finding of Fact

It is hereby determined that:

1.1 Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;

1.2 This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species;

1.3 Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;

1.4 Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;

1.5 Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;

1.6 Substantial economic losses can result from these adverse impacts on the waters of the municipality;

1.7 Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;

1.8 The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety;

1.9 Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with natural functions of particular site or an entire watershed and thereby mitigate the adverse effects of erosion an sedimentation from development;

Section 2. Purpose

The purpose of this local law is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing with this jurisdiction and to address the findings of fact in Section 1 hereof. This local law seeks to meet those purposes by achieving the following objectives:

2.1 Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit no GP-02-02 or as amended or revised;

2.2 Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP02-01 or as amended or revised;

2.3 Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;

2.4 Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;

2.5 Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and

2.6 Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

Section 3. Statutory Authority

In accordance with Article 10 of the Municipal Home Rule Law of the State of New York, the Village of Voorheesville Board of Trustees has the authority to enact local laws and amend local laws and for the purpose of promoting the health, safety or general welfare of the Village of Voorheesville and for the protection and enhancement of its physical environment. The Village Board of Trustees of Voorheesville may include in any such local law provisions for the appointment of any municipal officer, employees, or independent contractor to effectuate, administer and enforce such local law.

Section 4. Applicability

4.1 This local law shall be applicable to all land development activities as defined in this local law, Article 2, Section 1.

4.2 The municipality shall designate a Stormwater Management Officer who shall accept and review all stormwater pollution prevention plans and forward such plans to the applicable municipal board. The Stormwater Management officer may (1) review the plans, (2) upon approval by the Village of Voorheesville Board of Trustees, engage the services of a licensed professional engineer to review the plans, specifications and related documents at a cost to be determined paid by the applicant of property owner.

4.3 All land development activities subject to review and approval by the Planning Commission as defined in the Village of Voorheesville Zoning Law and Subdivision Regulations shall be reviewed subject to the standards contained in this local law.

4.4 All land development activities not subject to review as stated in section 4.3 shall be required to submit a Stormwater Pollution Prevention Plan (SWPPP) to the Stormwater Management Officer who shall approve the SWPPP if it complies with the requirements of this law.

Section 5. Exemptions

The following activities may be exempt from review under this law.

5.1 Agricultural activity as defined in this local law.

5.2 Silvicultural activities except that landing areas and log haul roads are subject to this law.

5.3 Routine maintenance activities that disturb lass than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.

5.4 Repairs to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

5.5 Any part of a subdivision if a plat for the subdivision has been approved by the Village of Voorheesville on or before the effective date of this law.

5.6 Land development activities for which a building permit has been approved on or before the effective date of the law.

5.7 Cemetery grave.

5.8 Installation of fence, sign, telephone, and electric poles and other kinds of posts or poles.

5.9 Emergency activity immediately necessary to protect life, property or natural resources.

5.10 Activities of an individual engaging in-home gardening by growing flowers, vegetable and other plants primarily for use by that person and his or her family.

5.11 Landscaping and horticultural activities in connection with an existing structure.

ARTICLE 2 ZONING LAW AMENDMENT: STORMWATER CONTROL

The Zoning Law is hereby amended to include Article XIX, 4, a new supplemental regulation titled Stormwater Control.

Section 1. Definitions

The terms used in this local law or in documents prepared or reviewed under this local law shall have the meaning as set forth in this section.

Agricultural Activity – the activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation or the construction of new structures associated with agricultural activities.

Applicant – a property owner or agent of a property owner who has filed an application for a land development activity.

Building – any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

Channel – a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Clearing – any activity that removes the vegetative surface cover.

Dedication – the deliberate appropriation of property by its owner for general public use.

Department – the New York State Department of Environmental Conservation.

Design Manual – the *New York State Stormwater management Design Manual,* most recent version including applicable updates that serves as the official guide for stormwater management principles, methods and practices.

Developer – a person who undertakes land development activities.

Erosion Control Manual – the most recent version of the *New York Standards and Specifications for Erosion and Sediment Control* manual, commonly known as the "Blue Book".

Grading – excavation or fill of material, including the resulting conditions thereof.

Impervious Cover – those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snowmelt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc).

Industrial Stormwater Permit – a State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries, which regulates the pollutant levels, associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration – the process of percolating stormwater into the subsoil.

Jurisdictional Wetland – an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly know as hydrophytic vegetation.

Land Development Activity - construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acres, or activities disturbing less than one acres of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

Landowner – the legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

Maintenance Agreement – a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

Nonpoint Source Pollution – pollution from any source other than from any discernible, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Phasing – clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

Pollutant of Concern – sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

Project – land development activity.

Recharge – the replenishment of underground water reserves.

Sediment Control – measures that prevent eroded sediment from leaving the site.

Sensitive Areas – cold-water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.

SPDES General Permit for Construction Activities GP-02-01 – a permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems GP-02-02 – a permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

Stabilization – the use of practices that prevent exposed soil from eroding.

Stop Work Order – an order issued which requires that all construction activity on a site be stopped.

Stormwater – rainwater, surface runoff, snowmelt and drainage.

Stormwater Hotspot – a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

Stormwater Management – the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

Stormwater Management Facility – one or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

Stormwater Management Officer - an employee or officer designated by the municipality to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board, and inspect stormwater management practices.

Stormwater Management Practices (SMPs) – measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

Stormwater Pollution Prevention Plan (SWPPP) – a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

Stormwater Runoff – flow on the surface of the ground, resulting from precipitation.

Surface Waters of the State of New York – lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, 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 or underground water), which are wholly or partially within or bordering the state or within its jurisdiction.
Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man made bodies of water which neither were originally created in waters of the state (such as the disposal area in wetlands) nor resulted from impoundment of waters of the state.
Watercourse – a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

Waterway – a channel that directs surface runoff to a watercourse or to the public storm drain.

Section 2. Stormwater Pollution Prevention Plans

2.1 Stormwater Pollution Prevention Plan Requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the specifications in this local law.

2.2 Contents of Stormwater Pollution Prevention Plans.

2.2.1 All SWPPPs shall provide the following background information and erosion and sediment controls:

1. Background information about the scope of the project, including location, type and size of project, and receiving waters
2. Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map should 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); wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharge(s) and offsite topographic and planametric features for 250 linear feet. Site map should be at a scale no smaller than one inch equals one hundred feet (e.g. one inch equals one hundred feet)
3. Description of the soil(s) present at the site;
4. Construction phasing plan describing the intended sequence 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. Consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual), not more than five (5) areas shall be disturbed at any one time unless pursuant to an approved SWPPP.
5. Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;
6. Description of construction and waste materials expected to be stored on-site with updates as appropriate, and description of controls to reduce pollutants from these materials including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response;
7. Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;
8. A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
9. Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
10. Temporary practices that will be converted to permanent control measures;
11. Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place;
12. Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
13. Name(s) of the receiving water(s);
14. Delineation of SWPPP implementation responsibilities for each part of the site;
15. Description of structural practices designed to divert flows from exposed soils, storm flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and
16. Any existing data that describes the stormwater runoff at the site.

2.2.2 Land development activities as defined in Section 1 of this Article and meeting Condition "A", "B" or "C" below shall also include water quantity and water quality controls (post-construction stormwater runoff controls) as set forth in Section 2.2.3 below as applicable:

Condition A – Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Condition B – Stormwater runoff from land development activities disturbing five (5) or more acres.

Condition C – Stormwater runoff from land development activity disturbing between one (1) and five (5) acres of land during the course of the project, exclusive of the construction of single-family residences and construction activities at agricultural properties.

2.2.3 SWPPP Requirements for Condition A, B and C;

1. All information in Section 2.2.1 of this local law;
2. Description of each post-construction stormwater management practice;
3. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
4. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
5. Comparison of post-development stormwater runoff conditions with pre-development conditions;
6. Dimensions, material specifications and installation details for each post-construction stormwater management practice;
7. Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice;
8. Maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
9. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management measures in accordance with Article 2, Section 4 of this local law.

2.3 Plan Certification

The SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this local law.

2.4 Other Environmental Permits

The applicant shall provide written proof that all other applicable environmental permits have been or will be acquired for the land development activity prior to approval of the final stormwater design plan.

2.5 Contractor Certification

2.5.1 Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards".

2.5.2 The certification must include the name and title of the person providing the signature, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

2.5.3 The certification statement(s) shall become part of the SWPPP for the land development activity.

2.6 A copy of the SWPPP shall be retained at the site of the land development activity during construction from the date of the initiation of construction activities to the date of the final stabilization.

Section 3. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control

All land development activities shall be subject to the following performance and design criteria:

3.1 Technical Standards

For the purpose of this local law, the following documents shall serve as the official guides and specifications for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this law:

3.1.1 The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the Design Manual)

3.1.2 New York Standards and Specifications for Erosion and Sediment Control, (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual).

3.2 Equivalence to Technical Standards

Where stormwater management practices are not in accordance with technical standards, the applicant or developer must demonstrate equivalence to the technical standards set forth in Article 2, Section 3.1 and the SWPPP shall be prepared by a licensed professional.

3.3 Water Quality Standards

Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface water of the state of New York.

Section 4. Maintenance, Inspection and Repair of Stormwater Facilities

4.1 Maintenance and Inspection During Construction

4.1.1 The applicant or developer of the land development activity 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 applicant or developer to achieve compliance with the conditions of this local law. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent.

4.1.2 The applicant or developer or their representative shall be onsite at all times when construction or grading activity takes place and shall inspect and document the effectiveness of all erosion and sediment control practices. Inspection reports shall be completed every 7 days and within 24 hours of any storm event producing 0.5 inches of precipitation or more. The report shall be delivered to the Stormwater Management Officer on a monthly basis, and also copied to the site logbook.

4.2 Maintenance Easement(s)

Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, the applicant or developer must execute a maintenance easement agreement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall provide for access to the facility at reasonable times for periodic inspection by the Village of Voorheesville to ensure that the facility is maintained in proper working condition to meet design standards an any other provisions established by this local law. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village of Voorheesville.

4.3 Maintenance after Construction

The owner or operator of permanent stormwater management practices installed in accordance with this law shall be operated and maintained to achieve the goals of this law. Proper operation and maintenance also includes as a minimum, the following:

4.3.1 A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this laws.

4.3.2 Written procedures for operation and maintenance and training new maintenance personnel.

4.3.3 Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with Article 2, section 3.2.

4.4 Maintenance Agreements

The Village of Voorheesville shall approve a formal maintenance agreement for stormwater management facilities binding on all subsequent landowners and recorded in the office of the County Clerk as a deed restriction on the property prior to final plan approval. The maintenance agreement shall be consistent with the terms and conditions of Schedule B of this local law entitled Sample Stormwater Control Facility Maintenance Agreement. The Village of Voorheesville in lieu of a maintenance agreement, at its sole discretion may accept dedication of any existing or future stormwater management facility, provided such facility meets all the requirements of this local law and includes adequate and perpetual access and sufficient area, by easement or otherwise for inspection and regular maintenance.

Section 5. Severability and Effective Date

5.1 Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

5.2 Effective Date

This Local Law shall be effective upon filing with the office of the Secretary of State.
Approved by: Village of Voorheesville Board of Trustees Date October 24, 2006

ARTICLE 3 SUBDIVISION REGULATION AMENDMENT

Sections 405 and 406 of the Subdivision Regulations of the Village of Voorheesville are hereby amended by adding the following to the information requirements:

A. For Preliminary Subdivision Plat add: <u>Stormwater Pollution Prevention Plan:</u> A stormwater Pollution Prevention Plan (SWPPP) consistent with the

requirements of Article 1 and 2 of this local law shall be required for Preliminary Subdivision Plat approval. The SWPPP shall meet the performance and design criteria and standards in Article 2 of this local law. The approved Preliminary Subdivision Plat shall be consistent with the provisions of this local law.

B. For Final Subdivision Plat approval add: Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan consistent with the requirements of Article 1 and 2 of this local law and with the terms of preliminary plan approval shall be required for Final Subdivision Plat approval. The SWPPP shall meet the performance and design criteria and standards in Article 2 of this local law. The approved Final Subdivision Plant shall be consistent with the provisions of this local law.

ARTICLE 4 SITE PLAN REVIEW REGULATIONS AMENDMENT

Article XIX (C) of the Site Plan Review regulations of the Village of Voorheesville Zoning Law is/are hereby amended by adding the following to the information requirements:

Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan consistent with the requirements of Article 1 and 2 of this local law shall be required for Site Plan Approval. The SWPPP shall meet the performance and design criteria and standards in Article 2 of this local law. The approved Site Plan shall be consistent with the provisions of this local law.

ARTICLE 5 ADMINISTRATION AND ENFORCEMENT

Section 1. Construction Inspection

1.1 Erosion and Sediment Control Inspection

The Village of Voorheesville Stormwater Management Officer may require such inspections as necessary to determine compliance with this law and may either approve that portion of the work completed or notify the applicant wherein the work fails to comply with the requirements of this law and the stormwater pollution prevention plan (SWPPP) as approved. To obtain inspections, the applicant shall notify the Village of Voorheesville enforcement official at least 48 hours before any of the following as required by the Stormwater Management Officer:

1.1.1 Start of construction
1.1.2 Installation of sediment and erosion control measures
1.1.3 Completion of site clearing
1.1.4 Completion of rough grading

1.1.5 Completion of final grading
1.1.6 Close of the construction season
1.1.7 Completion of final landscaping
1.1.8 Successful establishment of landscaping in public areas

If any violations are found, the applicant and developer shall be notified in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization until any violations are corrected and all work previously completed has received approval by the Stormwater Management Officer.

1.2 Stormwater Management Practice Inspections

The Village of Voorheesville Stormwater Management Officer is responsible for conducting inspections of stormwater management practice (SMPs). All applicants are required to submit "as built" plans for any stormwater management practices located on-site after final construction is completed and prior to issuance of a Certificate of Compliance. The plan must show the final design specifications for all stormwater management facilities and must be certified by a professional engineer.

1.3 Inspection of Stormwater Facilities After Project Completion

Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspection of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

1.4 Submission of Reports

The Village of Voorheesville Stormwater Management Officer may require monitoring and reporting from entities subject to this law as are necessary to determine compliance with this law.

1.5.1 Right-of-Entry for Inspection

When any new stormwater management facility is installed on private property or when any new connection is made between private property and the public storm water system, the landowner shall grant to the Village of Voorheesville the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection as specified in paragraph 1.3.

Section 2. Performance Guarantee

2.1 Construction Completion Guarantee

In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Village of Voorheesville in its approval of the Stormwater Pollution Prevention Plan, the Village of Voorheesville may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Village of Voorheesville as the beneficiary. The security shall be in an amount to be determined by the Village of Voorheesville based on submission of final design plan, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Village of Voorheesville, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Village of Voorheesville. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

2.2.1 Maintenance Guarantee

Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Village of Voorheesville with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Voorheesville may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection cost.

2.3 Record Keeping

The Village of Voorheesville may require entities subject to this law to maintain records demonstrating compliance with this law.

Section 3. Enforcement and Penalties

3.1 Notice of Violation

When the Village of Voorheesville determines that a land development activity is not being carried out in accordance with the requirements of this local law, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

3.1.1 The name and address of the landowner, developer or applicant;
3.1.2 The address when available or a description of the building, structure or land upon which the violation is occurring;
3.1.3 A statement specifying the nature of the violation;
3.1.4 A description of the remedial measures necessary to bring the land development activity into compliance with this local law and a time schedule for the completion of such remedial action;
3.1.5 A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
3.1.6 A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within fifteen (15) days of service of notice of violation.

3.2 Stop Work Orders

The Village of Voorheesville may issue a stop work order for violations of this law. Persons receiving a stop work order shall be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the Village of Voorheesville confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this local law.

3.3 Violations

Any land development activity that is commenced or is conducted contrary to this local law, may be restrained by injunction or otherwise abated in a manner provided by law.

3.4 Penalties

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this local law shall be guilty of a violation punishable by a fine not exceeding three hundred fifty dollars ($350) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars ($350) nor more than seven hundred dollars ($700) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars ($700) nor more than one thousand dollars ($1,000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this local law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each week's continued violation shall constitute a separate additional violation.

3.5 Withholding of Certificate of Compliance, Certificate of Occupancy, Certificate of Completion or Certificate of Use.

If any building or land development activity is installed or conducted in violation of this local law the Stormwater Management Officer may withhold or revoke a certificate of compliance, occupancy, completion or use of a building or structure or use of land.

3.6 Restoration of Lands

Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Village of Voorheesville may take necessary corrective action, the cost of which shall become a lien up the property until paid.

Section 4. Fees for Services

The Village of Voorheesville may require any person undertaking land development activities regulated by this law to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Village of Voorheesville or performed by a third party for the Village of Voorheesville.

Schedule A Stormwater Management Practices Acceptable for Water Quality *(From: New York State Stormwater Management Design Manual, Table 5.1)*		
Group	**Practice**	**Description**
Pond	Micropool Extended Detention Pond (P-1)	Pond that treats the majority of the water quality volume through extended detention, and incorporates a micropool at the outlet of the pond to prevent sediment resuspension.
	Wet Pond (P-2)	Pond that provides storage for the entire water quality volume in the permanent pool.
	Wet Extended Detention Pond (P-3)	Pond that treats a portion of the water quality volume by detaining storm flows above a permanent pool for a specified minimum detention time.
	Multiple Pond System (P-4)	A group of ponds that collectively treat the water quality volume.
	Pocket Pond (P-5)	A stormwater wetland design adapted for the treatment of runoff from small drainage areas that has little or no baseflow available to maintain water elevations and relies on groundwater to maintain a permanent pool.
Wetland	Shallow Wetland (W-1)	A wetland that provides water quality treatment entirely in a shallow marsh.
	Extended Detention Wetland (W-2)	A wetland system that provides some fraction of the water quality volume by detaining storm flows above the marsh surface.
	Pond-Wetland System (W-3)	A wetland system that provides a portion of the water quality volume in the permanent pool of a wet pond that precedes the marsh for a specified minimum detention time.
	Pocket Wetland (W-4)	A shallow wetland design adapted for the treatment of runoff from small drainage areas that has variable water levels and relies on groundwater for its permanent pool.
Infiltration	Infiltration Trench (I-1)	An infiltration practice that stores the water quality volume in the void spaces of a gravel trench before it is infiltrated into the ground.
	Infiltration Basin (I-2)	An infiltration practice that stores the water quality volume in a shallow depression before it is infiltrated into the ground.
	Dry Well (I-3)	An infiltration practice similar in design to the infiltration trench, and best suited for treatment of rooftop runoff.
Filtering Practices	Surface Sand Filter (F-2)	A filtering practice that treats stormwater by settling out larger particles in a sediment chamber, and then filtering stormwater through a sand matrix.
	Underground Sand Filter (F-2)	A filtering practice that treats stormwater as it flows through underground settling and filtering chambers.
	Perimeter Sand Filter (F-3)	A filter that incorporates a sediment chamber and filter bed as parallel vaults adjacent to a parking lot.
	Organic Filter (F-4)	A filtering practice that uses an organic medium such as compost in the filter in place of sand.
	Bioretention (F-5)	A shallow depression that treats stormwater as it flows through a soil matrix, and is returned to the storm drain system.
Open Channels	Dry Swale (O-1)	An open drainage channel or depression explicitly designed to detain and promote the filtration of stormwater runoff into the soil media.
	Wet Swale (O-2)	An open drainage channel or depression designed to retain water or intercept groundwater for water quality treatment.

Maintenance Agreement

Whereas, the Village of Voorheesville and _____(facility owner) consent to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Village of Voorheesville for the below named project, and

Whereas, the Village of Voorheesville and _____ (facility owner) require that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components. Therefore, the Village of Voorheesville and _____ (facility owner) agree as follows:

1. This agreement binds the Village of Voorheesville and _____ (facility owner), its successors and assigns, to the maintenance provisions depicted in the approved project plans which are attached as Schedule A of this agreement.
2. The _____ (facility owner) shall maintain, clean, repair, replace and continue the stormwater control measures depicted in Schedule A as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following; drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention and detention ponds.
3. The _____ (facility owner) shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.
4. The _____ (facility owner) shall provide for the periodic inspection of the stormwater control measures, to be determined by the Village of Voorheesville, but not less than once in every five-year period, to determine the condition and integrity of the measures. A Professional Engineer licensed by the State of New York shall perform such inspection. The inspecting engineer shall prepare and submit to the Village of Voorheesville within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.
5. The _____ (facility owner) shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Village of Voorheesville.
6. The _____ (facility owner) shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Village of Voorheesville or in accordance with the recommendations of the inspecting engineer.
7. The _____ (facility owner) shall provide to the Village of Voorheesville within 30 days of the date of this agreement, a security for the maintenance and continuation of the stormwater control measures in the form of a Bond, letter of credit or escrow account.

8. This agreement shall be recorded on the Office of the County Clerk, County of Albany, together with the deed for the common property and shall be included in the offering plan and/or prospectus approved pursuant to.
9. If ever the Village of Voorheesville determines that the _____ (facility owner) has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Village of Voorheesville or by the inspecting engineer, the Village of Voorheesville is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property.
10. This agreement is effective _____.

Appendix G

Maintenance Guidelines from NYSSMDM

Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist

Project _____
Location: _____
Site Status: _____

Date: _____
Time: _____

Inspector: _____

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
1. Embankment and emergency spillway (Annual, After Major Storms)		
1. Vegetation and ground cover adequate		
2. Embankment erosion		
3. Animal burrows		
4. Unauthorized planting		
5. Cracking, bulging, or sliding of dam		
a. Upstream face		
b. Downstream face		
c. At or beyond toe		
downstream		
upstream		
d. Emergency spillway		
6.Pond, toe & chimney drains clear and functioning		
7.Seeps/leaks on downstream face		
8.Slope protection or riprap failure		
9. Vertical/horizontal alignment of top of dam “As-Built”		

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
10. Emergency spillway clear of obstructions and debris		
11. Other (specify)		
2. Riser and principal spillway (Annual)		
Type: Reinforced concrete _____ Corrugated pipe _____ Masonry _____ 1. Low flow orifice obstructed		
2. Low flow trash rack. a. Debris removal necessary		
b. Corrosion control		
3. Weir trash rack maintenance a. Debris removal necessary		
b. corrosion control		
4. Excessive sediment accumulation insider riser		
5. Concrete/masonry condition riser and barrels a. cracks or displacement		
b. Minor spalling (<1")		
c. Major spalling (rebars exposed)		
d. Joint failures		
e. Water tightness		
6. Metal pipe condition		
7. Control valve a. Operational/exercised		
b. Chained and locked		
8. Pond drain valve a. Operational/exercised		
b. Chained and locked		
9. Outfall channels functioning		
10. Other (specify)		

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
3. Permanent Pool (Wet Ponds) (monthly)		
1. Undesirable vegetative growth		
2. Floating or floatable debris removal required		
3. Visible pollution		
4. Shoreline problem		
5. Other (specify)		
4. Sediment Forebays		
1.Sedimentation noted		
2. Sediment cleanout when depth < 50% design depth		
5. Dry Pond Areas		
1. Vegetation adequate		
2. Undesirable vegetative growth		
3. Undesirable woody vegetation		
4. Low flow channels clear of obstructions		
5. Standing water or wet spots		
6. Sediment and / or trash accumulation		
7. Other (specify)		
6. Condition of Outfalls (Annual , After Major Storms)		
1. Riprap failures		
2. Slope erosion		
3. Storm drain pipes		
4.Endwalls / Headwalls		
5. Other (specify)		
7. Other (Monthly)		
1. Encroachment on pond, wetland or easement area		

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
2. Complaints from residents		
3.Aesthetics a. Grass growing required		
b. Graffiti removal needed		
c. Other (specify)		
4. Conditions of maintenance access routes.		
5. Signs of hydrocarbon build-up		
6. Any public hazards (specify)		
8. Wetland Vegetation (Annual)		
1. Vegetation healthy and growing Wetland maintaining 50% surface area coverage of wetland plants after the second growing season. (If unsatisfactory, reinforcement plantings needed)		
2. Dominant wetland plants: Survival of desired wetland plant species Distribution according to landscaping plan?		
3. Evidence of invasive species		
4. Maintenance of adequate water depths for desired wetland plant species		
5. Harvesting of emergent plantings needed		
6. Have sediment accumulations reduced pool volume significantly or are plants “choked” with sediment		
7. Eutrophication level of the wetland.		
8. Other (specify)		

Comments:

Actions to be Taken:

Infiltration Trench Operation, Maintenance, and Management Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)		
Trench surface clear of debris		
Inflow pipes clear of debris		
Overflow spillway clear of debris		
Inlet area clear of debris		
2. Sediment Traps or Forebays (Annual)		
Obviously trapping sediment		
Greater than 50% of storage volume remaining		
3. Dewatering (Monthly)		
Trench dewaters between storms		
4. Sediment Cleanout of Trench (Annual)		
No evidence of sedimentation in trench		
Sediment accumulation doesn't yet require cleanout		
5. Inlets (Annual)		

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
Good condition		
No evidence of erosion		
6. Outlet/Overflow Spillway (Annual)		
Good condition, no need for repair		
No evidence of erosion		
7. Aggregate Repairs (Annual)		
Surface of aggregate clean		
Top layer of stone does not need replacement		
Trench does not need rehabilitation		

Comments:

Actions to be Taken:

Sand/Organic Filter Operation, Maintenance and Management Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)		
Contributing areas clean of debris		
Filtration facility clean of debris		
Inlet and outlets clear of debris		
2. Oil and Grease (Monthly)		
No evidence of filter surface clogging		
Activities in drainage area minimize oil and grease entry		
3. Vegetation (Monthly)		
Contributing drainage area stabilized		
No evidence of erosion		
Area mowed and clipping removed		
4. Water Retention Where Required (Monthly)		
Water holding chambers at normal pool		
No evidence of leakage		
5. Sediment Deposition (Annual)		

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
Filter chamber free of sediments		
Sedimentation chamber not more than half full of sediments		
6. Structural Components (Annual)		
No evidence of structural deterioration		
Any grates are in good condition		
No evidence of spalling or cracking of structural parts		
7. Outlet/Overflow Spillway (Annual)		
Good condition, no need for repairs		
No evidence of erosion (if draining into a natural channel)		
8. Overall Function of Facility (Annual)		
Evidence of flow bypassing facility		
No noticeable odors outside of facility		

Comments:

Actions to be Taken:

Bioretention Operation, Maintenance and Management Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)		
Bioretention and contributing areas clean of debris		
No dumping of yard wastes into practice		
Litter (branches, etc.) have been removed		
2. Vegetation (Monthly)		
Plant height not less than design water depth		
Fertilized per specifications		
Plant composition according to approved plans		
No placement of inappropriate plants		
Grass height not greater than 6 inches		
No evidence of erosion		
3. Check Dams/Energy Dissipaters/Sumps (Annual, After Major Storms)		
No evidence of sediment buildup		

MAINTENANCE ITEM	SATISFACTORY / UNSATISFACTORY	COMMENTS
Sumps should not be more than 50% full of sediment		
No evidence of erosion at downstream toe of drop structure		
4. Dewatering (Monthly)		
Dewaters between storms		
No evidence of standing water		
5. Sediment Deposition (Annual)		
Swale clean of sediments		
Sediments should not be > 20% of swale design depth		
6. Outlet/Overflow Spillway (Annual, After Major Storms)		
Good condition, no need for repair		
No evidence of erosion		
No evidence of any blockages		
7. Integrity of Filter Bed (Annual)		
Filter bed has not been blocked or filled inappropriately		

Comments:

Actions to be Taken:

Open Channel Operation, Maintenance, and Management Inspection Checklist

Project:
Location:
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY/ UNSATISFACTORY	COMMENTS
1. Debris Cleanout (Monthly)		
Contributing areas clean of debris		
2. Check Dams or Energy Dissipators (Annual, After Major Storms)		
No evidence of flow going around structures		
No evidence of erosion at downstream toe		
Soil permeability		
Groundwater / bedrock		
3. Vegetation (Monthly)		
Mowing done when needed		
Minimum mowing depth not exceeded		
No evidence of erosion		
Fertilized per specification		
4. Dewatering (Monthly)		
Dewaters between storms		

MAINTENANCE ITEM	SATISFACTORY/ UNSATISFACTORY	COMMENTS
5. Sediment deposition (Annual)		
Clean of sediment		
6. Outlet/Overflow Spillway (Annual)		
Good condition, no need for repairs		
No evidence of erosion		

Comments:

Actions to be Taken:

Appendix H

Maintenance Logs

(To be inserted upon completion.)