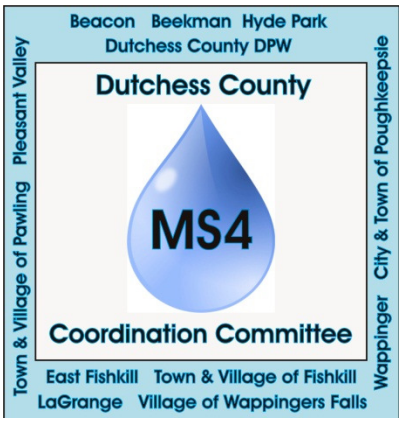
Stormwater Management Program

Village of Wappingers Falls
SPDES ID: NYR20A

For coverage under the New York State Department of Environmental Conservation's *SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems* (GP-0-15-003)(as amended)

Plan prepared by: **Village of Wappingers Falls**
and
Dutchess County MS4 Coordination Committee



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Executive Summary

This Stormwater Management Program (SWMP) Plan describes the actions that the Village of Wappingers Falls will take to reduce pollution discharged through storm sewers to waters of the State. Municipalities are regulated due to their location within a densely populated region. Village of Wappingers Falls is a regulated tradition land use small MS4s located within Dutchess County, New York; a county bordered by the Hudson River to the West, Connecticut to the East, Putnam County to the South and Columbia County to the North. This regulated municipality is within the Poughkeepsie-Newburgh-Middletown urbanized area as of the year 2000 Census. Land use within the MS4 is primarily forested, low-density residential and agricultural with smaller areas of high-density residential, commercial and industrial zones

In addition to the Village of Wappingers Falls the regulated traditional land use MS4s within Dutchess County include the City of Beacon, Town of Beekman, Town of East Fishkill, Village of Fishkill, Town of Fishkill, Town of Hyde Park, Town of LaGrange, Town of Pawling, Village of Pawling, Town of Pleasant Valley, City of Poughkeepsie, Town of Poughkeepsie, and Town of Wappinger. All of these municipalities work collaboratively to comply with the MS4 General Permit through the Dutchess County MS4 Coordination Committee (Coordination Committee).

The Coordination Committee was formed in 2003 as a way to share personnel and material costs associated with implementing the small MS4 permit requirements. Participating municipalities send representatives to meet monthly to discuss common issues, establish goals, and review effectiveness of their programs. Although the municipalities work collaboratively to comply with certain minimum control measures (MCMs), each municipality has submitted, and will continue to submit, individually-prepared annual reports. A template for this SWMP has been developed by a subcommittee of the larger Coordination Committee.

The regulated municipalities are authorized to discharge stormwater by the New York State Department of Environmental Conservation's (DEC's) *SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s)*(GP-0-15-003)(as amended) (copy included in *Appendix A*) as defined in 40 CFR 122.26(b)(16). This permit requires each MS4 to develop, implement, and enforce a SWMP Plan addressing the pollutants of concern and reducing the discharge of pollutants from the small MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and Clean Water Act. As required, the MS4 submitted a NOI to DEC in 2003 and is included as *Appendix B* of this SWMP.

Pollution prevention and remediation activities are described in this SWMP as being part of one of the following minimum control measures (MCMs):

1) Public Education and Outreach
2) Public Involvement/Participation
3) Illicit Discharge Detection and Elimination
4) Construction Site Stormwater Runoff Control
5) Post-Construction Stormwater Management
6) Pollution Prevention/Good Housekeeping for Municipal Operations

The goal of this SWMP is to reduce the discharge of pollutants from small MS4s to the maximum extent practicable (MEP) in order to protect water quality and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and the Clean Water Act. This SWMP was written in accordance with DEC's *SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems* (GP-0-15-003)(as amended). Also as required, the MS4 submitted a NOI to DEC in 2003 and is included as *Appendix B* of this SWMP.

This SWMP Plan details the best management practices (BMPs) that will or have been implemented to maintain compliance with the aforementioned permit and achieve pollutant reduction to the maximum extent practicable. A "Best Management Practices - SWMP Implementation Plan" table summarizing the MS4s plan for compliance is found on the following pages.

Best management practices are implemented by intra-municipal departments (for example, Highway Department, planning and zoning) and also in conjunction with the Dutchess County MS4 Coordination Committee (Coordination Committee) which works through an inter-municipal agreement to develop, implement, and enforce components of the Stormwater Management Program (see *Appendix C* for the Coordination Committee's Intermunicipal Agreement and Bylaws).

An organization chart of the intra-municipal structure that is responsible for the implementation of the SWMP plan is found in *Appendix D*.

Best Management Practices - SWMP Implementation Plan					
Village of Wappingers Falls				Last Revision:	January 20, 2016
**** The "MS4 Municipal Compliance Certification and Annual Report Form"(as amended)(*Appendix A*) will be used as a guide to determine the data that must be collected and reported for each of the BMPs listed below.**					
MCM	**BMP ID**	**BMP**	**Time lines / Schedules (min)**	**Responsible Party**	**Notes**
MCM 1, Public Education and Outreach					
1	1.1	Continue to provide and add to the existing stormwater educational program Investigate new media outlets including billboards and design/revise campaigns as necessary to reach new target audiences and/or pollutants of concern.	Annually	MS4 Coordinator in conjunction w/Coordination Committee[2]	Educational materials developed and distributed to date in *Appendix E*.
1	1.2	Collaborate with the local cable access channels to request that a stormwater related film, such as "After the Storm," be aired.	Once every 3 years	MS4 Coordinator in conjunction w/Coordination Committee	
1	1.3	Collaborate with area groups at a Coordination Committee meeting to ensure that stormwater related education is integrated into regional environmental campaigns such as those associated with the Dutchess Watershed Coalition's Watershed Awareness Month.	Annually	MS4 Coordinator in conjunction w/Coordination Committee	
1	1.4	Educate municipal employees on stormwater topics that affect their positions (examples, pollution prevention/good housekeeping and IDDE training for highway, parks & recreation, and building maintenance staff, SWPPP review, compliance and post-construction management facility inspection training for Village Engineer, and green infrastructure training for Village of Wappingers Falls Board and Planning Board members).	Once every 3 years	MS4 Coordinator and SMO in conjunction w/Coordination Committee	

1	1.5	Attend Coordination Committee meetings to receive updates on regulatory program and other permit related topics.	Monthly (approx.)	MS4 Coordinator in conjunction w/Coordination Committee	
1	1.6	Post notices in municipal facilities and/or on Village of Wappingers Falls website to announce training opportunities available to Construction Site Operators and Design Engineers.	As needed	MS4 Coordinator in conjunction w/Coordination Committee	
MCM 2, Public Involvement/Participation					
2	2.1	Continue to comply with the State Open Meetings Law and local public notice requirements.	Ongoing	MS4 Coordinator	
2	2.2	Continue to support stewardship activities such as stream cleanups, storm drain marking, and volunteer water quality monitoring through stakeholder groups including but not limited to local scouting groups, Dutchess Watershed Coalition (including Watershed Awareness Month), and Cornell Cooperative Extension Dutchess County.	Annually	MS4 Coordinator in conjunction w/Coordination Committee	
2	2.3	Ensure that the local stormwater public contact is published in public outreach and public participation materials and kept updated with the DEC.	Ongoing	MS4 Coordinator	
2	2.4	Continue to present the annual report to the public and make it available for question and comment via a regular or special public meeting or on a website prior to its submittal to DEC. Hold a public meeting if requested by 2 or more persons.	Annually (prior to June 1 submittal deadline)	MS4 Coordinator	
2	2.5	Continue to provide public notice about the presentation of the annual report (availability on website or public meeting)	Annually (prior to June 1 submittal deadline)	MS4 Coordinator	
2	2.6	Include a summary of comments and intended responses with the final annual report. Also describe any changes made to the SWMPP in the annual report.	As needed	MS4 Coordinator	
2	2.7	Create a water quality hotline (report spills, dumping, construction sites of concern, etc.).	By 12/31/2013	MS4 Coordinator	

MCM 3, Illicit Discharge Detection and Elimination					
3	3.1	Continue to maintain the MS4's outfall map including the locations of outfalls and storm sewersheds.	As needed	SMO in conjunction w/DCSWCD[3]	Map in *Appendix G*
3	3.2	If grant monies become available, the MS4 will consider mapping the entire storm sewer system.	As needed	MS4 Coordinator	
3	3.3	Conduct an outfall reconnaissance inventory at every outfall within the urbanized area and additional designated area (as applicable).	20% of outfalls per year (once every 5 years)	HIGHWAY DEPARTMENT	Outfall Dry Weather Inspection Screening Field Sheet in *Appendix G*
3	3.4	Maintain records of all illicit discharges detected and eliminated.	Ongoing	SMO, HIGHWAY DEPARTMENT, MS4 Coordinator	Illicit discharge hotline incident tracking sheet in *Appendix G*
3	3.5	Continue to inform public employees, businesses, and the general public of the hazards associated with illegal discharges and improper disposal of waste in accordance with BMPs 1.1, 1.3, & 1.4.			
MCM 4, Construction Site Runoff Control					
4	4.1	Review SWPPPs and utilize the "MS4 SWPPP Acceptance Form" created by DEC 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.	All construction activities within MS4 that result in a land disturbance of ≥ 1 acre	Village Engineer, SMO, authorized representative	SWPPP Contents Checklist and MS4 SWPPP Acceptance Form in *Appendix H*

4	4.2	Complete a compliance inspection(s) at all construction sites within MS4 that result in a land disturbance of ≥ 1 acre (5,000 s.f. in EOH Watershed) during construction. The MS4 may perform a final site inspection at the end of construction or accept the owner's Qualified Inspector's final inspection certification in accordance with the "MS4 Acceptance" statement on the DEC Notice of Termination (NOT). Additional site inspections may be completed at the MS4's discretion.	At least once	Village Engineer, SMO, authorized representative	Construction Stormwater Compliance Inspection Report in *Appendix M*
4	4.3	Continue to support the training of public employees performing SWPPP reviews and compliance inspections in accordance with BMP 1.4			
4	4.4	Continue to educate construction site owner / operators, design engineers, municipal staff and other individuals to whom these regulations apply about the MS4'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.	Ongoing	SMO, Building Department	
4	4.5	Continue to publicize training events for local construction site owner/operators, construction site inspectors, and design engineers.	As needed	MS4 Coordinator SMO in conjunction w/DCSWCD & Coordination Committee	
4	4.6	Continue to ensure that construction site operators have received erosion and sediment control training before they do work within the MS4.	All construction sites within MS4 that result in a land disturbance of ≥ 1 acre	Village Engineer, SMO, authorized representative	

4	4.7	Maintain an inventory of active constructions sites (including location of the site, owner/operator contact information).	All construction sites within MS4 that result in a land disturbance of ≥ 1 acre	SMO, Building Department	
4	4.8	Maintain records of all construction site related SWPPP reviews (and associated review comments), MS4 SWPPP acceptance forms, pre-construction meetings, compliance inspections, enforcement actions, and NOT acceptance certifications.	All construction sites within MS4 that result in a land disturbance of ≥ 1 acre	SMO, Village Engineer	
MCM 5, Post-construction Stormwater Management					
5	5.1	In the development of the watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations, the MS4 will consider principles of Low Impact Development (LID), Better Site Design (BSD), Green Infrastructure practices, smart growth principles, natural resource protection, impervious area reduction, maintaining natural hydrologic conditions in developments, riparian buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils.	As needed	SMO, Village of Wappingers Falls Board	
5	5.2	Review SWPPPs in accordance with BMP 4.1.			
5	5.3	Educate municipal boards and Planning and Zoning Boards on low impact development principles, better site design approach, and green infrastructure applications and educate post-construction management facility inspection training in accordance with BMP 1.4.			

5	5.4	Maintain an inventory of post-construction stormwater management practices within the MS4's jurisdiction. The inventory includes practices discharging to the MS4 that have been installed since March 10, 2003, all practices owned by the MS4, and those practices found to cause or contribute to water quality standard violations. The inventory shall include at a minimum: location of practice (street address or coordinates); type of practice; maintenance needed per the *NYS Stormwater Management Design Manual (as amended)*, SWPPP, or other provided documentation; and dates and type of maintenance performed.	Ongoing	SMO, HIGHWAY DEPARTMENT	
5	5.5	Ensure adequate long-term operation and maintenance of management practices through inspections of the practices owned or operated by the MS4.	As designated by SWPPP	SMO, Village Engineer, HIGHWAY DEPARTMENT	DEC inspection forms for select practices included in *Appendix I*.
5	5.6	Maintain records of post-construction stormwater management practices inventoried, inspected, maintained, and any enforcement actions taken.	Ongoing	SMO, HIGHWAY DEPARTMENT	
MCM 6, Pollution Prevention/Good Housekeeping for Municipalities					
6	6.1	Perform and document a self assessment of all municipal operations addressed by the SWMP.	Once every 3 years	SMO, HIGHWAY DEPARTMENT	Assessment from in *Appendix J*.
6	6.2	Educate public employees and third-party entities performing contracted municipal services (as applicable) on proper pollution prevention and good housekeeping in accordance with BMP 1.4.			
6	6.3	Comply with Parts III. A, C, D, J, K and L of the NYS DEC's Multi-Sector General Permit (MSGP) for industrial stormwater discharges (GP-0-06-002).	Ongoing	SMO, HIGHWAY DEPARTMENT	
6	6.3a	Prepare SWPPP for the Village of Wappingers Falls Highway Garage.	By 12/1/2013	SMO, HIGHWAY DEPARTMENT, Village Engineer	
6	6.3b	Conduct quarterly visual, annual dry weather flow, and annual benchmark monitoring at Village of Wappingers Falls Highway Garage in accordance with the MSGP.	Quarterly and Annually	HIGHWAY DEPARTMENT	Quarterly visual monitoring report, annual certification report, and Discharge Monitoring Report (DMR) forms are in *Appendix N.*

6	6.4	Consider and incorporate cost effective runoff reduction techniques and green infrastructure in the routine upgrade of the existing stormwater conveyance systems and municipal properties to the MEP[4].	As needed	SMO, HIGHWAY DEPARTMENT, Village Engineer	
6	6.5	Sweep streets under the MS4's jurisdiction and within the urbanized area and additional designated area (as applicable).	Annually, high traffic/low lying areas more frequently if required	HIGHWAY DEPARTMENT	Sweeping log in *Appendix J*.
6	6.6	Inspect catch basins under the MS4's jurisdiction within the urbanized area and additional designated area (as applicable).	Inspect once every 3 years (clean as necessary)	HIGHWAY DEPARTMENT	Inspection and cleaning log in *Appendix J*.
6	6.7	Follow all appropriate stormwater regulations during any future new construction, redevelopment, and land disturbing projects.	As needed	Village Boards, SMO, MS4 Coordinator, HIGHWAY DEPARTMENT	
Miscellaneous					
Misc	M.1	Have all third party entity who develop or implement any portion of the SWMP sign the contract entity certification statement.	As needed	SMO	Statement provided by DEC in Part IV.G of GP-0-10-002
Misc	M.2	Submit Annual Report to DEC.	By June 1 of each year	MS4 Coordinator	MS4 Municipal Compliance Certification and Annual Report Form provided by DEC on their stormwater webpage, as well as, in *Appendix A*.

[1] SMO = Stormwater Management Officer					
[2] Coordination Committee = Dutchess County MS4 Coordination Committee					
[3] DCSWCD = Dutchess County Soil and Water Conservation District					
[4] MEP = Maximum Extent Practicable					
[5] EOH Subcommittee = East of Hudson Subcommittee of the Dutchess County MS4 Coordination Committee					

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Appendix A - New York State Department of Environmental Conservation's *SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems* (GP-0-15-003)(as amended)

Appendix B – Notice of Intent

Appendix C – Supporting documentation for Dutchess County MS4 Coordination Committee

- Intermunicipal agreement & bylaws

Appendix D –Organizational Chart

Appendix E – Supporting documentation for Public Education and Outreach MCM

- Educational brochures including "Construction Requirements and Your Development," "Preventing Stormwater Pollution: Tips for Commercial and Industrial Businesses," "Preventing Stormwater Pollution: Tips for Homeowners," "Rain Gardens: Gardening with Water Quality in Mind," "Solutions to Water Pollution for the Commercial Landscaping & Lawn Care Industry," "Healthy Lawn Tips," "Make a difference at the water's edge"
- Training Records including, but not limited to, site inspector workshops and pollution prevention/good housekeeping trainings

Appendix F – Supporting documentation for Public Involvement/Participation MCM

Appendix G- Supporting documentation for Illicit Discharge Detection and Elimination MCM

- Regulatory Mechanism and Attorney Certification
- Outfall Map
- Outfall Map Revision Request Form (DCSWCD)
- Illicit Discharge Hotline Incident Tracking Sheet (CWP)
- Outfall Dry Weather Inspection Screening Field Sheet

Appendix H- Supporting documentation for Construction Site Stormwater Runoff Control MCM

- Regulatory Mechanism and Attorney Certification
- Construction Stormwater Compliance Inspection Report Form (NYSDEC)
- MS4 Acceptance Form

Appendix I- Supporting documentation for Post-Construction Stormwater Management MCM

- Regulatory Mechanism and Attorney Certification
- Stormwater Management Facilities Maintenance Agreement
- Stormwater Management Practice Locations in the Village of Wappingers Falls
- Maintenance Inspection Checklist (NYSDEC)

Appendix J- Supporting documentation for Pollution Prevention/Good Housekeeping for Municipal Operations MCM

- Pollution Prevention and Good Housekeeping for Municipal Operations Handbook (DCSWCD)
- Facility Inventory Worksheet
- Storm Sewer Maintenance Log including Catch Basin Inspection and Cleaning
- Street Sweeping Log

Appendix K – Annual Reporting Located with Village Clerk

- Annual Reports and associated Public Comments (as applicable)

Appendix L – Submitted Construction Site SWPPPs & Review Letters (LOCATED IN SMO FILING CABINET)

Appendix M – Construction Site Inspection Reports (LOCATED IN SMO FILING CABINET)

Appendix N – Correspondence from Highway Garage Facility Designer

1 Public Education and Outreach

All material related to the public education and outreach minimum control measure (MCM) is included in *Appendix E*.

1.1 Responsible Party(ies)

The MS4 Coordinator in conjunction with the Coordination Committee and other area stakeholders (listed in *Section 2.2*) are responsible for the implementation of this MCM.

1.2 Pollutants, Waterbodies, and Areas of Concern

Major waterbodies of concern, pollutants of concern and pollutant sources have been identified by the DEC in the 303(d) list[1]. These pollutants include silt/sediment and phosphorus.

Phosphorus and silt/sediment are the pollutants of concern in Wappingers Lake. Wappingers Lake is located in the Village of Wappingers Falls. The lake is an 88 acre Class B waterbody, an impoundment of the Wappinger Creek. The communities of Town of Pleasant Valley, Town of LaGrange, Town of Poughkeepsie, Town of Wappinger, Town of Fishkill and the Village of Wappingers Falls either directly or indirectly contribute runoff to the lake. The suspected source of phosphorus and silt/sediment pollution is urban/storm runoff. A TMDL will be developed for this waterbody.

Education and outreach efforts will be focused on the pollutants of concern in their respective area(s) of concern. Sediment and floatables as pollutants of concern will be a focus of education efforts throughout the MS4.

1.3 Target Audiences

Target audiences selected to receive education on stormwater issues include construction site operators and design engineers, homeowners, businesses, and municipal employees.

- Goals
  - To raise awareness that polluted stormwater runoff is a significant source of water quality problems
  - To motivate people to use Best Management Practices (BMPs) which reduce polluted stormwater runoff ; and
  - To reduce polluted stormwater runoff as a result of increased awareness and utilization of BMPs.

[1] New York State Department of Environmental Conservation, 2010, *Final New York State 2010 Section 303(d) list of Impaired Waters Requiring a TMDL/Other Strategy*, accessed May 25, 2011 at http://www.dec.ny.gov/docs/water_pdf/303dlistfinal10.pdf

- Construction Site Operators and Design Engineers

  Construction activities are a major source of pollutants to area waterbodies thus it is imperative that construction site operators and design engineers receive education relating to the proper use, installation, maintenance, and design of erosion control measures as well as the SWPPP submittal and review process.
  - One-on-one Communications. Municipal personnel speaking with applicants as they come in to receive building permits. Stormwater Management Officer (SMO) or other knowledgeable municipal staff also educate contractors with regard to erosion control practices during meetings (e.g., pre-construction) or site compliance inspections.
  - Trainings. Construction site operator trainings given by staff at Dutchess County Soil and Water Conservation District (DCSWCD) or other DEC approved entity. Trainings are typically offered multiple times per year.
  - Events. Area presentations and/or workshops on topic such as better site design/low impact development.
  - Brochures and Handouts. The Coordination Committee maintains brochures and develops new ones as necessary regarding construction site erosion control. Brochures are available at municipal facilities and/or attached to permit applications. The MS4 also provides applicants with information regarding their Construction Site Runoff Control law with the application package.
  - Educational Websites (linked to MS4's website). Webpages of note include, but are not limited to, DCSWCD (www.dutchessswcd.org) and DEC (www.dec.ny.gov)

- Homeowners/residents

  Homeowners/residents impact stormwater by habitual or seasonal practices such as car washing or piling lawn clippings on the curb. Some residents have a septic system at their property which may also contribute pollutants.
  - Complaint-based communications. In response to complaints, a SMO or other municipal staff will respond and inform the resident of how to properly manage their pollution source/drainage issue.
  - Events. Regional groups (e.g., DCSWCD, Cornell Cooperative Extension Dutchess County (CCEDC), Cary Institute, Hudson River Sloop Clearwater), municipal officials and committees (e.g., Conservation Advisory Board and others participate in local environmental events. These events include, but are not limited to: Adams Fairacre Farms Lawn and Garden Show and Harvest Fest, Dutchess County Fair.
  - Brochures. The Coordination Committee maintains a suite of brochures and develops new ones as necessary to address homeowners' impacts to stormwater. These brochures are provided at MS4 facilities, events, and online.
  - Educational websites (linked to MS4's website). Webpages of note include, but are not limited to, DCSWCD (www.dutchessswcd.org), Dutchess Watershed Coalition (dutchesswatersheds.org), and CCEDC (ccedutchess.org).

- General Public
  - Events. As stated above, there are many groups that participate at local environmental events.

  - Storm drain markers. Municipal and local watershed groups use volunteer assistance to attach storm drain markers to storm drains. These markers say "No Dumping, Drains to Waterways." The Coordination Committee has obtained markers in the past for member MS4s and will continue to purchase them as requested by the MS4s.
  - Billboards. The Coordination Committee has used a billboard campaign along County roadways to provide a targeted message about stormwater pollution such as littering and other illicit discharges. The billboard's audience is estimated using County traffic counts.
  - Educational websites (linked to MS4's website). See description above.

- Businesses
  - Brochures. The Coordination Committee has developed brochures for local businesses. These brochures are provided at municipal facilities, at local events, and online. The brochure has also been distributed through the area Chamber of Commerce publication.

- Municipal Employees
  - Trainings/Conferences. The municipality, in conjunction with the Coordination Committee, has a program to educate its employees whose responsibilities could potentially impact water quality (e.g., Highway, Parks and Recreation, Build Maintenance, SMOs, inspectors, SWPPP reviewers) on a regular basis. This education includes illicit detection and elimination, post-construction practices, pollution prevention, good housekeeping, and soil erosion and sediment control. Municipal employees (SMOs, public works employees, and/or consultants) may also attend the annual Southeast New York Stormwater Conference and Trade Show. This event presents timely information on stormwater/water quality issues in the Hudson Valley region.
  - Coordination Committee Meetings. Regulatory updates and other related information is discussed at Coordination Committee meetings keeping all MS4s up-to-date on the Phase II program and stormwater pollution prevention.
  - Municipal Meetings. The MS4 Coordinator or other municipal staff present updates to their governing board as needed.

2 Public Involvement/Participation

All materials related to the public involvement/participation MCM are included in *Appendix F*. The MS4 will comply with the State Open Meetings Law and local public notice requirements.

2.1 Responsible Party(ies)

The MS4 Coordinator in conjunction with the Coordination Committee and other area stakeholders (listed below) are responsible for the implementation of this MCM.

2.2 Stakeholders and Interested Parties

Those interested or involved in the SWMP include, but are not limited to:

- Dutchess County MS4 Coordination Committee (MCMs 1-6)
- Dutchess County Soil & Water Conservation District (MCMs 1-6)
- Cornell Cooperative Extension Dutchess County – Environment & Energy Program (MCM 1 & 2)
- Village of Wappingers falls Conservation Advisory Board (MCMs 1-2, 4)
- Casperkill Watershed Alliance (CWA) (MCM 1 & 2)
- Fall Kill Watershed Committee (MCM 1 & 2)
- Fishkill Creek Watershed Association (MCM 1 & 2)
- Friends of the Great Swamp (FrOGS) (MCM 1 & 2)
- Housatonic Valley Association (MCM 1 & 2)
- Wappinger Creek Intermunicipal Council (WIC) (MCM 1 & 2)
- Hudson River Watershed Alliance (MCM 1 & 2)
- Dutchess Watershed Coalition (MCM 1 & 2)
- Lower Hudson Coalition of Conservation Districts (MCM 1 & 2)
- Hudson River Sloop Clearwater (MCM 1 & 2)
- NYS DEC Hudson River Estuary Program (MCM 1 & 2)
- Dutchess County Environmental Management Council (EMC) (MCM 1 & 2)
- Hudson River Environmental Society (MCM 1 & 2)
- The Nature Conservancy – Eastern New York (MCM 1 & 2)
- Local Colleges: Vassar, Bard, Marist, Dutchess Community College (MCM 1 & 2)
- Local Schools (MCM 1 & 2)
- Local Boys/Girls Scouting Troops(MCM 1 & 2)
- Local volunteering groups (e.g., Lions Club, Church groups) (MCM 1 & 2)

Key public involvement activities reported on by the MS4 include:

- Wappingers Falls Business and Professional Association "Clean Sweep" receives donations from local businesses and labor from volunteers to perform a Village clean up.
- The Coordination Committee supports the clean-up efforts of the local Trout Unlimited Chapter by providing monetary funding to purchase trash bags, gloves, reflective vests, and other necessary materials.

The MS4 will work with individuals and groups interested in participating in the SWMP and will provide assistance to those as available. The MS4 will collect information from those involved and report on the activities by the public in the annual report.

2.3 Local Stormwater Public Contact

The Village Clerk, is the local point of contact for public concerns regarding stormwater management and compliance with this SPDES general permit.

2.4 Annual Report Presentation

Prior to submitting the final annual report to DEC the draft annual report will be made available for public review and comment. The annual report will be presented at a public meeting and/or on the MS4's website (a public hearing must be held if requested by two or more persons, this hearing must be publically noticed). The MS4 will provide a public notice of a stormwater annual report meeting or presentation. This public notice will be on the MS4s website and/or in the local newspaper that includes the annual report's location (e.g. website, municipal facility), time of the meeting (as applicable), and notice of the public comment period. The MS4 will strive to send announcements directly to individuals (public and private) known to have a specific interest in the SWMP.

The MS4 will receive public comments and report on them in the final annual report. SWMP revisions will be made and implemented as necessary. Additional information regarding reporting and record keeping is found in *Section 9*.

3 Illicit Discharge Detection and Elimination

All materials related to the illicit discharge detection and elimination (IDDE) MCM are included in *Appendix G*.

3.1 Responsible Party(ies)

The SMO, with the support of the Highway Department and village, is responsible for the implementation of this MCM.

3.2 IDDE Program

The MS4's local law to detect and eliminate illicit discharges (as defined at 40CFR 122.26(b)(2)) into the storm system is included in *Appendix G*. The MS4 uses the "Illicit Discharge Hotline Incident Tracking Sheet" found in *Appendix G* to document activities.

3.2.1 Priority Areas of Concern

At this time the MS4 does not have knowledge of any geographic area, audiences, or otherwise under its jurisdiction that should be considered a priority area of concern for the IDDE program.

3.2.2 Available Resources

The MS4 Coordinator, Highway Department, Village Engineer and SMO are available to assist with the implementation of the program. Supplies available for the detection of illicit discharges include tracing dye (dish soap may also be used to confirm an unauthorized connection), water sampling kit, area laboratory with water chemistry analysis capabilities.

3.3 MS4 Mapping

A map and associated documentation of the MS4 including outfalls is included in *Appendix G*. This GIS based map and data point information is available on the County's intranet GIS system for MS4 use. This map was completed by a grant awarded to DCSWCD on behalf of the Coordination Committee. During the mapping of the MS4, each outfall location was field verified (to MEP) and inspected. The map will be maintained by the MS4 and updated as needed by DCSWCD – initiated by the MS4 submission of an "Outfall Map Revision Request Form" (see copy of form in *Appendix G*).

If grant funds become available, the MS4 will consider mapping additional areas of the storm sewer including sewer lines and manholes.

3.3.1 Outfall Reconnaissance Inventory

The MS4 will conduct an outfall reconnaissance inventory of every outfall within the MS4's jurisdiction at least once every five years (inspecting ≥20% per year) using the "Outfall Dry Weather Inspection Screening Field Sheet" (found in *Appendix G*). Completed field sheets will be maintained as part of this SWMP.

3.4 Illicit Discharge Law

A copy of the MS4's illicit discharge regulation and associated attorney certification is included in *Appendix G*. All notices of violation regarding this law will be maintained as part of this SWMP.

3.5 Non-Stormwater Discharges

The MS4 will consider the following non-stormwater discharges exempt from DEC's SPDES general permit coverage unless DEC has notified the MS4 that they are substantial contributors of pollutants and considered illicit. In the event of DEC notification, the MS4 will eliminate the discharges by following the illicit discharge MCM program noted above. As stated in Part 1.A.2 of DEC's *SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems* (GP-0-15-003) exempt non-stormwater discharges include:

a) water line flushing
b) landscape irrigation
c) diverted stream flows
d) rising ground waters
e) uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
f) uncontaminated ground water
g) discharges from potable water sources
h) foundation drains
i) air conditioning condensate
j) irrigation water
k) springs
l) water from crawl space and basement sump pumps
m) footing drains
n) lawn and landscape watering runoff provided that all pesticides and fertilizers have been applied in accordance with the manufacturer's product label
o) water from individual residential car washing

p) flows from riparian habitats and wetlands
q) dechlorinated swimming pool discharges
r) residual street wash water
s) discharges or flows from firefighting activities
t) dechlorinated water reservoir discharges
u) any SPDES permitted discharge

Regardless of the exempt status of the above activities, the MS4 will continue to educate the public on reducing pollution from these discharges (examples, homeowner brochure including proper home car washing and lawn care and the commercial landscaping company brochure addressing proper use of fertilizer and pesticides).

3.5.1 Floatables

The MS4 has a regulation to prohibit the illegal dumping of materials on areas within the MS4s jurisdiction. All notices of violations regarding illegal dumping will be maintained as part of this SWMP.

3.6 Illicit Discharge Education

The MS4's education and training program for all target audiences including the general public and municipal employees is described in *Section 1* (educational materials pertaining specifically to this MCM are included in *Appendix E).*

4 Construction Site Runoff Control

All materials related to the Construction Site Runoff Control MCM are included in *Appendix H.*

4.1 Responsible Party(ies)

The SMO are responsible for the implementation of this MCM.

4.2 Construction Site Runoff Control Law

The MS4 will maintain a program that provides at least the same protections as the DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities* (GP-0-15-002) (as amended) and greater protections if required by the MS4 General Permit (example, Watershed Improvement Strategy Requirements placed on East of Hudson MS4s). A copy of the MS4's construction site runoff control law and associated attorney certification is included in *Appendix H.* This law requires construction site operators to implement erosion and sediment control management practices, allows for sanctions to ensure compliance to the extent allowable by State law, and requires construction site operators to control wastes (e.g., discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste) at the construction site that may cause adverse impacts to water quality.

All notices of violation regarding this law will be maintained by the code enforcement officer.

4.3 Stormwater Pollution Prevention Plans

The MS4 will review all Stormwater Pollution Prevention Plans (SWPPPs) submitted by applicants as required by the construction site runoff control law and DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities* (as amended) for all development and redevelopment projects disturbing one acre or more of land. These SWPPPs will be reviewed by the Village Engineer or other qualified designee using *General Permit for Stormwater Discharges from Construction Activities* (GP-0-15-002). All SWPPPs submitted to the MS4 and MS4 review checklists and other information will be maintained by the SMO as part of this SWMP (see *Appendix L*). The MS4s SWPPP reviewer will receive regular training as described in *Section 1*.

After a SWPPP review has been completed and the plans are approved by the MS4 as meeting all the requirements of the law, DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities* (as amended), and *New York Standards and Specifications for Erosion and Sediment Controls* (as amended), the MS4 will utilize the "MS4 SWPPP Acceptance Form" (see *Appendix H* for a copy) to notify the construction site owner/operators that their plans have been accepted.

4.4 Site Compliance Inspections and Enforcement

The MS4 will perform a site compliance inspection at all development and redevelopment projects which have obtained permit coverage under the MS4's construction site runoff control law. At a minimum the MS4 will inspect all sites once during the construction process using the "Construction Stormwater Compliance Inspection Report" form found in *Appendix H*. During an inspection (or pre-construction meeting), the MS4 will ask to see proof that the construction site operator(s) has received the erosion and sediment control training required by the DEC's *SPDES General Permit for Stormwater Discharges from Construction Activity*. The MS4 will direct the operator to the DCSWCD or other DEC approved entity for the training as necessary. The construction site operator will not be allowed to disturb land without the required training.

Additional inspections and/or a pre-construction meeting may be required by the MS4 for those projects that include high risk aspects such as more than 5 acres of disturbance at one time, steep slopes, fragile natural resources, and/or sensitive or impaired receiving waters. Additional inspections are at the MS4's discretion.

The site compliance inspection will be conducted by the SMO, Village Engineer, or a qualified designee that is adequately trained and understands the State and local sediment and erosion control requirements. The DEC defines "adequately trained" as receiving inspector training by a DEC sponsored or approved training.

At the end of the construction process the MS4 will either perform a final site inspection or accept the owner's Qualified Inspector's final inspection certification (required by the DEC's *SPDES General Permit for Stormwater Discharges from Construction Activity*) to determine that it is appropriate for the owner/operator of the project to submit the Notice of Termination (NOT) to the DEC. The Village Mayor or designated appointee will document their determination by signing the "MS4 Acceptance" statement on the NOT.

The MS4 will maintain an inventory of active construction sites, including the location of the site and owner/operator contact information as part of this SWMP. The MS4 will also maintain records of all inspections and NOT acceptance certifications (see *Appendix M*).

4.5 Public Complaints

Public complaints received by the MS4 regarding construction site storm water runoff will be directed to the SMO for follow up. As warranted, the MS4 may respond to a complaint with a compliance inspection as described in *Section 4.4*.

4.6 Construction Site Runoff Education

The MS4's education and training program for all target audiences including site owners and operators, design engineers, and municipal employees is described in *Section 1* (educational materials pertaining specifically to this MCM are included in *Appendix E).*

5 Post-Construction Stormwater Management

All documents and forms related to the Post-Construction Stormwater Management MCM are included in *Appendix I*.

5.1 Responsible Party(ies)

The SMO and Village Engineer are responsible for the implementation of this MCM.

5.2 Post-Construction Stormwater Management Law

The MS4 will maintain a program that provides at least the same protections as the DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities* (GP-0-15-002) (as amended) and greater protections if required by the MS4 General Permit (example, Watershed Improvement Strategy Requirements placed on East of Hudson MS4s). A copy of the MS4's post-construction stormwater management law and associated attorney certification is included in *Appendix I*.

This law/addresses stormwater runoff from new development and redevelopment projects to the MS4 from projects that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from projects of less than one acre must be included in the program if that project is part of a larger common plan of development or sale or if controlling such activities in a particular watershed is required by DEC.

All violations regarding this law will be maintained as part of this SWMP and included in *Appendix I*.

5.3 Post-Construction Management Practices

The MS4 will consider the use of all structural or non-structural management practices (according to standards defined in the most current version of the *NYS Stormwater Management Design Manual* [Design Manual]) that will reduce the discharge of pollutants to the MEP. The MS4 will consider the principles of Low Impact Development (LID), Better Site Design (BSD), and other Green Infrastructure practices to the MEP when developing any future watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations. The MS4 will also consider smart growth principles, natural resource protection, impervious area reduction, maintaining natural hydrologic conditions in developments, riparian buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils.

The MS4 will review development and redevelopment site plans according to the Green Infrastructure practices defined in the Design Manual. As stated by the DEC, if a stormwater management practice is designed and installed in accordance with the *New York State Stormwater Management Design Manual* (as amended) or has been demonstrated to be equivalent and is properly operated and maintained, then MEP will be assumed to be met for post-construction stormwater discharged by the practice. See *Section 4.3* for additional detail regarding the MS4's SWPPP review process.

On a broader level, during any future updates to the local codes and laws, the MS4 will review and revise as necessary and provisions that may preclude green infrastructure or construction techniques that minimize or reduce pollutant loadings.

The MS4 will maintain an inventory of post-construction stormwater management practices within the MS4's jurisdiction including those that were installed since March 10, 2003, all practices owned by the small MS4, and all practices found to cause or contribute to water quality standard violations (see inventory in *Appendix I*). The inventory includes: the location of practice (street address or coordinates); type of practice; maintenance needed per the *NYS Stormwater Management Design Manual* (as amended), SWPPP, or other provided documentation; and dates and type of maintenance performed.

The MS4 will ensure adequate long-term operation and maintenance of management practices owned or operated by the MS4 through regular inspections of the practices by trained staff to ensure the practices are performing properly. The inspections will include items identified in the maintenance requirements (*NYS Stormwater Management Design Manual* (as amended), SWPPP, maintenance agreement, or other maintenance information) for the practice (see *Appendix I* for copies of DEC inspection forms for select practices). Management practices owned or operated by others will be required to inspect and maintain their practices in accordance with the approved SWPPP or other maintenance agreements or information. As per the post-construction stormwater management law, the MS4 has the right to request inspection and maintenance documentation from post-construction management practices owners/operators.

5.4 Post-Construction Stormwater Management Education

The MS4's education and training program for all target audiences including municipal employees (inspectors) is described in *Section 1* (educational materials pertaining specifically to this MCM are included in *Appendix E).*

6 Pollution Prevention/Good Housekeeping for Municipal Operations

All materials related to the Pollution Prevention/Good Housekeeping for Municipal Operations MCM are included in *Appendix J*.

6.1 Responsible Party(ies)

The Highway Superintendent in conjunction with the SMO is responsible for the implementation of this MCM.

6.2 Municipal Operations

The general pollution prevention/good housekeeping program that will be followed by the MS4 is outlined in the *Pollution Prevention and Good Housekeeping for Municipal Operations* handbook (DCSWCD, 2007) located in *Appendix J*. Below is a more detailed description of the individual operations at the Village.

6.2.1 Street and Bridge Maintenance

The MS4 sweeps all streets within the urbanized area of its jurisdiction at least once per year. The sweeping spoils collected during this process are disposed of at highway facility staging area. The MS4 maintains a log of the streets swept and number of sweeper truck loads collected (included in *Appendix J* of this SWMP).

6.2.2 Winter Road Maintenance

Village does not store salt for winter operations.

6.2.3 Stormwater System Maintenance

Catch basins are cleaned on a rotating basis and records maintained by the Highway Department.

6.2.4 Vehicle and Fleet Maintenance

Vehicles are maintained by a Contractor or Highway Garage.

6.2.5 Park and Open Space Maintenance

Village contracts with a local Contractor.

6.2.6 Municipal Building Maintenance

Chemicals are stored properly labeled and should be in secondary containment (if there is a potential for impact to water quality).

6.2.7 Solid Waste Management

Local Contractor removes.

6.2.8 New Construction and Land Disturbances

The MS4 will follow all appropriate stormwater regulations during any future new construction, redevelopment, and land disturbing projects. As necessary, the MS4 will apply for applicable permits including the DEC's *SPDES General Permit for Stormwater Discharges from Construction Activities* (GP-0-15-002) (as amended) and utilize the design standards included in the *New York Standards and Specifications for Erosion and Sediment Controls* (as amended) and *NYS Stormwater Management Design Manual* (as amended) as necessary.

6.2.9 Hydrologic Habitat Modification

In future projects, the Village of Wappingers will evaluate EPA recommendations regarding Hydrologic Habitat Modification. EPA has grouped hydromodification activities into three categories: (1) channelization and channel modification, (2) dams, and (3) streambank and shoreline erosion. Examples include, but are not limited to, straightening, widening, deepening, and clearing channels of debris and sediment, construction in or along streams, construction and operation of dams and impoundments. Some indirect forms of hydromodification, such as erosion along streambanks or shorelines, are caused by the introduction or maintenance of structures in or adjacent to a waterbody and other activities, including many upland activities, that change the natural physical properties of the waterbody.

6.3 Self-Assessment

The MS4 will perform and document a self-assessment of all municipal operations addressed by this SWMP once every three years (see *Appendix J* for assessment form, within *Pollution Prevention and Good Housekeeping for Municipal Operations Handbook*).

6.4 Pollution Prevention/Good Housekeeping for Municipal Operations Education

The MS4's education and training program for all target audiences including municipal employees is described in *Section 1* (educational materials pertaining specifically to this MCM are included in *Appendix E)*.

6.5 Green Infrastructure

The MS4 will consider and incorporate cost effective runoff reduction techniques and green infrastructure in the routine upgrade of the existing stormwater conveyance systems and municipal properties to the MEP.

6.6 Industrial Stormwater Discharges from Municipal Operations and Facilities

At this time, it is believed that the MS4 does not have any facilities required to meet the requirements of the *NYS Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities* (MSGP, GP-0-12-001). The Village should confirm with facility designers that their facilities are not subject to GP-0-12-001. In the Village of Wappingers Falls if facilities would need a multi-sector permit the facility would be covered under the Village of Wappingers Falls MS4 permit. As directed in the MS4 General Permit, if Village facilities are determined to require MSGP Coverage the Village would need to comply with Parts III. A, C, D, J, K and L of the MSGP. The MS4 would then also perform monitoring and record keeping in accordance with Part IV of the MSGP.

6.6.1 Highway Facility Stormwater Pollution Prevention Plan

A Stormwater Pollution Prevention Plan (SWPPP) for the Village of Wappingers Falls Highway Garage is not required per correspondence with the facility designer attached in Appendix N. The Village should consider a SWPPP in accordance with good engineering practices and with the factors outlined in 40 CFR 125.3(d)(2) or (3) as appropriate. If required, the plan should be added to this SWMP as *Appendix N* and the provisions of the SWPPP would be implemented as a condition of the MS4 permit.

6.6.2 Monitoring

If facilities were to require GP-0-12-001 coverage the MS4 would conduct monitoring in accordance with the MSGP. All details regarding the quarterly visual, annual dry weather flow, and annual benchmark monitoring would be contained within the SWPPP for the facility. Discharge monitoring reports would be attached to the associated MS4 annual report.

7 Best Management Practices

The MS4 commits to the best management practices (BMPs) found following the Executive Summary to meet the general permit requirements (refer to Notice of Intent located in *Appendix B* for the BMPs submitted to the DEC prior to the existence of this SWMP).

8 Reliance on a Third Party

If the MS4 relies on a third party entity to develop or implement any portion of the SWMP, a signed certification, contract or agreement will be enacted that:

- provides adequate assurance that the third party will comply with permit requirements
- identifies the activities that the third party entity will be responsible for and include the name and title of the person providing the signature, the name, address and telephone number of the third party entity
- includes a description of the location of the work performed
- includes the date the certification statement, contract or other agreement is signed

At a minimum the MS4 will use the sample certification language provided by DEC in Part IV.G of GP-0-15-003 as the contract entity certification statement.

9 Record keeping and Reporting

The MS4 will conduct an annual evaluation of program compliance, the appropriateness of its identified BMPs, meeting new permit requirements, and progress towards achieving its identified measurable goals, including reducing the discharge of pollutants to the MEP in the form of an annual report, signed by the Mayor and submitted to DEC, electronically or hardcopy, no later than June 1 of each year (annual reporting period end March 9 of each year). If it is found that the SWMP is not reducing discharges to the MEP, the SWMP will be revised within one year and revisions will be implemented within three years.

During the course of each permit year the MS4 will collect and maintain information related to each MCM for inclusion in the annual report. The "MS4 Municipal Compliance Certification and Annual Report Form" (as amended)(*Appendix A*) will be used as a guide to the data that must be collected and reported to DEC. The MS4 will also access the effectiveness of BMP used to meet the requirements of each MCM.

The MS4 will maintain records required by the general permit, including, but not limited to, records that document the SWMP, records included in SWMP plan, other records that verify reporting required by the permit, NOI, past annual reports, and comments from the public and DEC, for at least five (5) years after they are generated. These records are available to the public at the Village of Wappingers Falls Hall during normal business hours.

Appendix A

New York State Department of Environmental Conservation's
SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003)

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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

From

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Permit No. GP-0-15-003

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

Effective Date: May 1, 2015

Expiration Date: April 30, 2017

John J. Ferguson
Chief Permit Administrator

Authorized Signature

4·14·15
Date

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

PREFACE

Pursuant to Section 402 of the Clean Water Act ("CWA"), operators of *small municipal separate storm sewer systems* ("small MS4s"), located in *urbanized areas* ("UA") and those *additionally designated* by New York State are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System* ("NPDES") permit or by a state permit program. New York's *State Pollutant Discharge Elimination System* ("SPDES") is an NPDES-approved program with permits issued in accordance with the *Environmental Conservation Law* ("ECL").

Only those *small MS4 operators* who *develop* and *implement* a *stormwater management program* (SWMP) and obtain permit coverage in accordance with Part II of this *SPDES general permit* are authorized to *discharge stormwater* from their *small MS4* under this *SPDES general permit*.

A *covered entity* authorized under GP-0-10-002 as of the effective date of GP-0-15-003, shall be permitted to discharge in accordance with the renewed permit, GP-0-15-003, upon the submission of their Annual Report, unless otherwise notified by the *Department*.

An *operator* not authorized under GP-0-15-003 may[1] obtain coverage under this *SPDES general permit* by submitting a Notice of Intent (NOI) to the address provided on the NOI form. For newly regulated MS4s, authorization under this *SPDES general permit* is effective upon written notification from the *Department* of the receipt of a complete NOI. Copies of this *SPDES general permit* and the NOI for New York are available by calling (518) 402 - 8109 or at any Department of Environmental Conservation (*Department*) regional office (Appendix A). They are also available on the *Department*'s website:

http://www.dec.ny.gov/permits/6045.html

Submitting an NOI is an affirmation that an initial *SWMP* has been *developed* and will be *implemented* in accordance with the terms of this *SPDES general permit*.

* **Note: all italicized words within this** *SPDES general permit* **are defined in Part X. Acronyms and Definitions.**

[1] The term "may is used to recognize that there are circumstances under which the *operator* is ineligible for coverage under this *g SPDES general permit* because of exclusionary provisions of this permit. *Operators* that are excluded from coverage under this *SPDES general permit* as provided for in Part I, for example, are not authorized to *discharge* under this permit. This clarification also applies to situations in which an NOI has been submitted; submission of an NOI by an entity excluded from *SPDES general permit* coverage does not authorize the *small MS4* to *discharge stormwater* runoff under the authority of this *SPDES general permit*

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

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Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

1. This *SPDES general permit* authorizes *discharges* of *stormwater* from *small municipal separate storm sewer system*s ("MS4"s) as defined in 40 CFR 122.26(b)(16), provided all of the eligibility provisions of this *SPDES general permit* are met.

2. Exempt Non-Stormwater Discharges. The following non-stormwater *discharges* are exempt from the need for *SPDES general permit* coverage unless the *Department* has determined them to be substantial contributors of pollutants to a particular *small MS4* applying for coverage under this *SPDES general permit*. If the *Department* determines that one or more of the *discharges* listed below is a substantial contributor of pollutants to a *small MS4*, the identified *discharges* will be considered *illicit*. In that event, the *covered entity* must eliminate such discharges by following the *illicit discharge* minimum control measure ("MCM") requirements (See Part VII.A.3 or VIII.A.3, and Part IX.A.3, B.3, C.3, and D.3 where applicable).

   a. water line flushing
   b. landscape irrigation
   c. diverted stream flows
   d. rising ground waters
   e. uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
   f. uncontaminated ground water
   g. discharges from potable water sources
   h. foundation drains
   i. air conditioning condensate
   j. irrigation water
   k. springs
   l. water from crawl space and basement sump pumps
   m. footing drains
   n. lawn and landscape watering runoff provided that all pesticides and fertilizers have been applied in accordance with the manufacturer's product label;
   o. water from individual residential car washing
   p. flows from riparian habitats and wetlands
   q. dechlorinated swimming pool discharges
   r. residual street wash water
   s. discharges or flows from firefighting activities

(Part I.A.2.)

t. dechlorinated water reservoir discharges
u. any SPDES permitted discharge.

Even if the non-stormwater discharges are determined not to be substantial contributors of pollutants, the *Department* recommends that the *covered entity's stormwater management program* ("SWMP") include public education and outreach activities directed at reducing pollution from these discharges.

B. Limitations on Coverage

The following are not authorized by this *SPDES general permit*:

1. *Stormwater discharges* whose unmitigated, direct, indirect, interrelated, interconnected, or interdependent impacts would jeopardize a listed endangered or threatened species or adversely modify designated critical habitat;

2. *Stormwater discharges* or *implementation* of a *covered entity's SWMP*, which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the covered entity is in compliance with requirements of the National Historic Preservation Act and has coordinated with the appropriate State Historic Preservation Office any activities necessary to avoid or minimize impacts;

3. *Stormwater discharges* to territorial seas not of the State of New York, the contiguous zone, and the oceans unless such *discharges* are in compliance with the ocean *discharge* criteria of 40 CFR 125 subpart M;

4. *Stormwater discharges*, the permitting of which is prohibited under 40 CFR 122.4 and/ or the *ECL*;

C. Exemption Criteria

For *stormwater discharges* from a designated *small MS4* that are mixed with non-*stormwater* or *stormwater* associated with *industrial activity*, the *Department* may determine them to be exempt from the requirements of this *SPDES general permit* if the *discharges* are:

1. Effectively addressed by and in compliance with a different *SPDES general permit* or an *individual SPDES permit*; or

2. Identified by and in compliance with Part I.A.2 of this *SPDES general permit*.

Part II. OBTAINING PERMIT COVERAGE

A. Permit coverage is obtained by submission of a complete and accurate Notice of Intent.

B. Permit coverage is public noticed by the Department.

NOIs will be public noticed and an opportunity for public comment provided on the contents of submitted NOIs.

a. NOIs and the location of the SWMPs and Annual Reports for existing MS4s will be posted in the Environmental Notice Bulletin (ENB).

b. A deadline of 28 calendar days from the posting in the ENB will be provided for receiving comments.

c. After the public comment period has expired, the *Department* may extend the public comment period, require submission of an application for an individual SPDES permit or alternative *SPDES general permit*, or accept the NOI or SWMP as complete.

C. Continuance of Permit Coverage for Covered Entities Authorized by GP-0-10-002 (Continuing Covered Entities)

As of May 1, 2015, entities with coverage under GP-0-10-002 will continue to have authorization to discharge on an interim basis for up to 180 days from the effective date of this *SPDES general permit*. Covered entities may gain coverage under this *SPDES general permit* by submission of their 2014 Annual Report due in June 2015. For public participation purposes, the updated Annual Report will be considered equivalent to submission of an NOI.

When the operator changes, a new operator is added, or the individual responsible for the SWMP changes, these changes must be indicated on the MCC form submitted in accordance with Part V.D. It is not necessary to submit a revised Notice of Intent (NOI).

D. Permit Coverage for Covered Entities Newly Designated Under GP-0-15-003 (Small MS4s not Previously Authorized by GP-0-10-002)

Certain *small MS4s* designated by 40CFR Section 122.32(a)(1) were not authorized by GP-0-10-002, but are now required to gain coverage under this *SPDES general permit*. The *small MS4s* were not previously authorized because they were either:

- required to gain coverage under GP-0-10-002, but were granted a waiver from that requirement;

- were not required to gain coverage under GP-0-10-002 based on the designation criteria, but they are now within an *Additionally Designated Area*; or

(Part II.D.)

- were otherwise not permitted under GP-0-10-002.

1. In order for *stormwater discharges* from *small MS4s* to be newly authorized under this *SPDES general permit*, an *operator* must:

   a. within 180 days of receiving written notification from the *Department* that a permit for discharges from MS4s is required, prepare an NOI using the form provided by the *Department* (or a photocopy thereof); and

   b. submit the NOI, signed in accordance with Part VI.J of this *SPDES general permit*, to:

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

2. *Operators* who submit a complete NOI in accordance with the requirements of this *SPDES general permit* are authorized to *discharge stormwater* from *small MS4s,* under the terms and conditions of this *SPDES general permit,* upon written notification from the Department that a complete NOI has been received.

E Small MS4s Not Required to Gain Coverage

Operators of unregulated *small MS4s* may apply for coverage under this *SPDES general permit* at any time, per Part II.B.

F. Extension of Permit Coverage to Covered Entity's Full Jurisdiction

Operators of traditional land use control MS4s must extend the implementation of minimum control measures (MCMs) 4 and 5 in accordance with *Criterion 3* of the Designation Criteria or apply for a waiver, if eligible.

Operators of all regulated *small MS4*s may also extend the implementation of any of the six MCMs to areas under their control, but outside of the existing area covered by this *SPDES general permit*. This may be done by describing the program components (MCMs) being extended and the geographic extent to which they are being extended in the annual report (Part V.C.) and indicating in the Municipal Compliance Certification (MCC) form (Part V.D.) that the program was extended to the *covered entity's* full jurisdiction.

(Part II.)

G. Single Entity to Cover the MS4

A single entity may gain coverage for, and on behalf of, one or more regulated MS4s to implement a part of an MCM, one, or all the MCMs. A single entity shall be defined by watershed, municipal boundaries, special district boundaries, or other specifically defined boundaries. The single entity must demonstrate to the *Department* that it was formed in accordance with applicable state and/or local legislation, and that it has the legal authority and capacity (financial, resources, etc.) to meet the requirements of this *SPDES general permit*. Depending on the MCM(s) implemented, the single entity shall demonstrate that it has the following capacities, as applicable for each MCM that the single entity is seeking coverage under this SPDES general permit:

1. Initiate and administer appropriate enforcement procedures,
2. Collect, finance, bond or otherwise borrow money for capital projects,
3. Control the management and operation of the storm sewer system,
4. Implement best management practices at all municipal facilities discharging to the MS4, and
5. Obtain access to property that may be necessary for siting stormwater management facilities and/or practices.

The single entity must submit a complete NOI form to the *Department*, detailing which of the regulated MS4s it will gain coverage for and which of the MCMs, or parts of MCMs, it will implement for each particular regulated MS4. A copy of the document forming the single entity, and detailing the legal authority and capacity of the single entity, must be attached to the NOI. Prior to the single entity gaining coverage under this SPDES general permit, each regulated MS4, for which the single entity will implementing one or more MCM must submit a complete notice of termination (NOT). This notice shall specify which of the minimum control measures the single entity will implement for the MS4 and which of the minimum control measures the MS4 will implement.

Part III. SPECIAL CONDITIONS

A. Discharge Compliance with Water Quality Standards

Where a *discharge* is already authorized under this *SPDES general permit* and is later determined to directly or indirectly cause or have the reasonable potential to cause or contribute to the violation of an applicable *water quality standard*, the *Department* will notify the *covered entity* of such violation(s) and may take enforcement actions for such violations. The *covered entity* must take all necessary actions to ensure future *discharges* do not directly or indirectly cause or contribute to the violation of a *water quality standard*, and the *covered entity* must document these actions in the *SWMP*.

(Part III.A.)

Compliance with this requirement does not preclude, limit, or eliminate any enforcement activity as provided by the Federal and / or State law for the underlying violation. Additionally, if violations of applicable water quality standards occur, then coverage under this *SPDES general permit* may be terminated by the *Department* in accordance with 750-1.21(e), and the Department may require an application for an alternative *SPDES general permit* or *individual SPDES permit* may be issued.

B. Impaired Waters

1. Impaired Waters Without Watershed Improvement Strategies or Future TMDLs

If a *small MS4 discharges* a stormwater pollutant of concern (POC) to an *impaired* water listed in Appendix 2, the covered entity must ensure no net increase in its *discharge* of the listed *POC* to that water.

By January 8, 2013, *covered entities* must assess potential sources of discharge of stormwater *POC*(s), identify potential stormwater pollutant reduction measures, and evaluate their progress in addressing the POC(S). Newly authorized covered entities must perform the above tasks within 5 years after gaining coverage under this SPDES general permit. Covered entities must evaluate their *SWMP* with respect to the MS4's effectiveness in ensuring there is no net increase discharge of stormwater *POC*(s) to the impaired waters for *storm sewersheds* that have undergone non-negligible changes such as changes to land use and impervious cover greater than one acre, or stormwater management practices during the time the MS4 has been covered by this *SPDES general permit*. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that *discharge* to the listed waters (see Appendix 2). The assessment shall be done using *Department* supported modeling of pollutant loading.

If the modeling shows increases in loading of the POC, the SWMP must be modified to reduce the loading to meet the no net increase requirement. The subsequent annual reports must contain an assessment of priority stormwater problems, potential management practices that are effective for reduction of stormwater POC(s), and document a gross estimate of the extent and cost of the potential improvements.

2. Watershed Improvement Strategies

The *SWMP*s for *covered entities* in the watersheds listed below must be modified to comply with the following requirements and the watershed improvement strategies. *Covered entities* implementing the pollutant-specific BMPs in addition to the BMPs required of all *covered entities* will be taking satisfactory steps towards achieving compliance with TMDL requirements. *Covered entities* under the MS4 *SPDES general*

(Part III.B.2.)

permit are required to make best efforts to participate in locally based watershed planning efforts that involve the NYSDEC, other covered entities, stakeholders and other interested parties for implementation of load reduction BMPs. Covered entities may form a Regional Stormwater Entity (RSE) to implement stormwater retrofits collectively. The *covered entities* must ensure that discharges of the *POC* to the *TMDL* waterbody are reduced through these or additional changes to the *SWMP* so that the waste load allocation is met.

MS4s are required to meet the reduction of the POC defined by the TMDL program defined in Part IX of this *SPDES general permit*. By the deadlines defined in Part IX of the general permit, *covered entities* must assess their progress and evaluate their *SWMP* to determine the *MS4's* effectiveness in reducing their discharges of *TMDL POC*(s) to *TMDL* water bodies. Newly designated watershed improvement strategy areas must perform the assessment within 5 years from authorization under this SPDES general permit. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that are within the *TMDL* watershed. The assessment shall be done using *Department* supported modeling of pollutant loading from the *storm sewershed*. The *covered entities* or an RSE must prepare and implement, participate in or utilize the results of existing or ongoing ambient water quality monitoring programs to validate the accuracy of models and evaluate the effectiveness of the additional BMPS for watershed improvement strategies.

If the modeling shows that loading of the POC is not being reduced to meet the waste load allocation, the SWMP must be modified to reduce the pollutant loading to meet the waste load allocation.

Each regulated MS4 is responsible for an individual load reduction, which is a fraction of the total required load reduction in the TMDL. If MS4s form an RSE and stormwater retrofits are approached collectively, the *Department* would allow compliance with this condition of the SPDES general permit to be achieved on a regional basis.

In this case the load reduction requirement for each participating MS4 will be aggregated, to create an RSE load reduction, to allow design and installation of retrofits where they are most feasible, without restricting MS4s to site retrofit projects within their municipal boundaries.

Each member of an RSE is in compliance if the aggregate reduction number associated with the retrofit plans is met. If the aggregate number is not met, each of the participating MS4s would be deemed non-compliant until such time as they had met their individual load reduction requirements.

(Part III.B.2.)

a. New York City Watershed East of the Hudson River
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.A to address phosphorus as the *POC* for the portion of their *storm sewershed* in the watershed. A map of the watershed is shown in Appendix 3.

b. Other Phosphorus Watersheds
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.B to address phosphorus as the *POC* for the portion of their *storm sewershed* in the watershed. Maps of the watersheds are shown in Appendices 4, 5, and 10.

c. Pathogen Watersheds
Covered entities shall modify their SWMP to meet the additional requirements as set forth in Part IX.C to address pathogens as the *POC* for the portion of their *storm sewershed* in any of the watersheds. Maps of the watersheds are shown in Appendices 6, 7, and 9.

d. Nitrogen Watersheds
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.D to address nitrogen as the *POC* for the portion of their *storm sewershed* in the watershed. Maps of the watersheds are shown in Appendix 8.

3. Future TMDL Areas
If a *TMDL* is approved in the future by EPA for any waterbody or watershed into which a *small MS4 discharges*, the *covered entity* must review the applicable *TMDL* to see if it includes requirements for control of *stormwater discharges*. If a *covered entity* is not meeting the *TMDL* wasteload allocations, it must, within 180 days of written notification from the *Department*, modify its *SWMP* to ensure that the reduction of the *POC* specified in the *TMDL* is achieved. It will be the MS4's obligation to meet the waste load allocations specified in the TMDL through modification of its *SWMP plan* according to the schedule of Part IX of this *SPDES general permit.*

Modifications must be considered for each of the six MCMs. Refer to assistance documents or enhanced requirements for specific pollutants in documents on the *Department*'s website for modifications specific to the *TMDL*. Revised *SWMPs* must include updated schedules for implementation.

(Part III.B.3.)

Within three years of having modified its SWMP to ensure that reduction of the POC specified in the TMDL is achieved, covered entities in future TMDL areas must assess their progress and evaluate their *SWMP* to determine the *MS4's* effectiveness in reducing their discharges of *TMDL POC*(s) to *TMDL* water bodies. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that are within the *TMDL* watershed. The assessment shall be done using *Department* supported modeling of pollutant loading from the *storm sewershed*.

Part IV. Stormwater Management Program (SWMP) Requirements

A. SWMP Background

Covered entities must *develop (for newly authorized MS4s, implement)*, and enforce a *SWMP* designed to reduce the *discharge* of pollutants from *small MS4s* to the *maximum extent practicable* ("MEP") in order to protect water quality and to satisfy the appropriate water quality requirements of the *ECL* and the CWA. The objective of the permit is for MS4s to assure achievement of the applicable water quality standards. *Covered entities* under GP-0-10-002 must have prepared a *SWMP plan* documenting modifications to their *SWMP*. See Part X.B. (Definitions) for more information about the *SWMP* and *SWMP plan*.

The *SWMP* and *SWMP plan* may be created by an individual *covered entity,* by a shared effort through a group or coalition of individual *covered entities,* or by a third party entity. The *SWMP plan* shall be made readily available to covered entity's staff, to the public and to *Department* and EPA staff.

B. Cooperation Between Covered Entities Encouraged

The *Department* encourages *covered entities* to cooperate when *developing* and *implementing* their *SWMP*[2]. However, each *covered entity* is responsible for obtaining its own permit coverage and for filing its own NOI. Irrespective of any agreements between *covered entities*, each individual *covered entity* remains legally responsible for satisfying all GP-0-15-003 requirements and for its own *discharges*. If one *covered entity* is relying on another *covered entity* to satisfy one or more of its permit obligations, that fact must be noted on the *covered entity's* MCC form. The other entity must, in fact,

2 For example, villages are encouraged to cooperate with towns, towns with counties, and adjacent counties with each other. In addition, municipal governments are encouraged to coordinate and cooperate with *non-traditional MS4s* such as DOT, school and fire districts, Federal and State facilities located within and adjacent to their jurisdictions. Sewer boards, water boards, or other non-traditional entities are encouraged to partner with the municipality (municipalities) that they serve.

implement the MCM(s) and must agree to *implement* the MCM(s) on the first *covered entity's* behalf. This agreement between the two or more parties must be documented in writing and signed by both (all) parties. Part IV.G. below may apply if such an agreement is not already in place. The agreement must be included in the *SWMP plan*, and be retained by the *covered entity* for the duration of this *SPDES general permit*, including any administrative extensions of the permit term.

Covered entities that are working together to *develop (for newly authorized MS4s)* or *implement* their *SWMP*s are encouraged to complete shared annual reports. *Covered entities* may also hold a group meeting to present their annual reports to the public and to receive comments on their annual reports. These options are discussed in more detail in Part V.C.2.

C. SWMP Coverage Area

At a minimum, *covered entities* are required to *develop (for newly authorized MS4s)* and *implement SWMP*s in the automatically designated *urbanized areas* ("UA") and *additionally designated* areas (40CFR Section 122.32(a)(1) or 122.32(a)(2)) under their jurisdiction[3].

SWMP coverage shall include all UA or additionally designated areas within the *covered entity*'s jurisdiction that drain into their *small MS4* and subsequently *discharge* to *surface waters of the State* directly or through other *small MS4s*.

Operators of *small MS4s* whose jurisdiction includes regulated and unregulated areas are encouraged to include their entire jurisdiction in their *SWMP* (refer to Part II.D).

D. SWMP Development and Implementation for Covered entities Authorized by GP-0-10-002(Continuing Covered entities)

Covered entities authorized under GP-0-10-002 shall continue to fully *implement* their *SWMP,* unless otherwise stated in this *SPDES general permit*. A *covered entity* may modify its *SWMP* if it determines changes are needed to improve *implementation* of its *SWMP*. Any changes to a *SWMP* shall be reported to the *Department* in the MS4's

[3] The purpose of this section is to minimize conflicts between adjacent *small MS4s*. For the purposes of this *SPDES general permit*, areas under the *covered entity's* jurisdiction shall mean areas where the legal authority exists for the subject *covered entity* to *develop* and *implement* an *SWMP* including the six MCMs. It is not a permit requirement for *covered entities* to *implement* and enforce any portion of their *SWMP* in any area that is under the jurisdiction of another *covered entity*. For example, if a portion of a town drains directly into a stormwater system owned and operated by the State DOT, and this area of the town is regulated, the DOT will not be required to implement and enforce any portion of a *SWMP* in the area lying outside of its right of way. In this case, the town would be required to implement the program in the subject area in accordance with this *SPDES general permit*, this despite the fact that the subject drainage does not directly enter the town's system.

annual report and Municipal Compliance Certification (MCC) form (See Part V.C and V.D).

E. SWMP Development and Implementation for Newly Regulated Covered entities (Small MS4s not Previously Authorized by GP-0-10-002)

Certain *small MS4s* designated by 40CFR Section 122.32(a)(1) were not authorized by GP-0-10-002, but are now required to gain coverage under this *SPDES general permit*. The *small MS4s* were not previously authorized because they were either:

- required to gain coverage under GP-0-10-002, but were granted a waiver from that requirement;
- were not required to gain coverage under GP-0-10-002 based on the designation criteria, but they now meet the additional designation criteria in NYS DEC "Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems" ; or
- were otherwise not permitted under GP-0-10-002.

Operators of *small MS4s* newly regulated under this *SPDES general permit* must *develop* an initial *SWMP* and provide adequate resources to fully *implement* the *SWMP* no later than three years from the date of the individual MS4's authorization.

A newly regulated *covered entity* may modify its *SWMP* to comply with the terms and conditions of this *SPDES general permit* if it determines changes are needed to improve *implementation* of its *SWMP*. Any changes to a *SWMP* shall be documented in the *SWMP plan* and reported to the *Department* in the annual report (See Part V.C).

Covered entities are required to make steady progress toward full *implementation* in the first three years after the date of authorization. Full *implementation* of *SWMP*s for newly regulated *small MS4s* is expected no later than three years from the date of coverage under this *SPDES general permit*.

F. Minimum Control Measures

Each *covered entity* is required to develop *(for newly authorized MS4s)* and implement a *SWMP* that satisfies the requirements for each of six required program components, known as minimum control measures (MCMs).

The MCMs for *traditional land use control MS4s* are listed in Part VII. The MCMs for *traditional non-land use control MS4s* and *non-traditional MS4s* are listed in Part VIII. Additional MCMs that *covered entities* in watersheds with improvement strategies must address, referred to in Part III.B.2, are described in Part IX.

(Part IV.)

G. Reliance Upon Third Parties

This section applies when a *covered entity* relies upon any third party entity to *develop* or *implement* any portion of its *SWMP*. Examples of such entities include, but are not

limited to a non-government, commercial entity that receives payment from the *covered entity* for services provided (for example businesses that create policies or procedures for *covered entities*, perform illicit discharge identification and track down, maintain roads, remove snow, clean storm sewer system, sweep streets, etc. as contracted by the covered entity).

The covered entity must, through a signed certification statement, contract or agreement provide adequate assurance that the third parties will comply with permit requirements applicable to the work performed by the third party. The certification statement, contract or other agreement must:

- provide adequate assurance that the third party will comply with permit requirements;
- identify the activities that the third party entity will be responsible for and include the name and title of the person providing the signature;
- the name, address and telephone number of the third party entity;
- an identifying description of the location of the work performed; and
- the date the certification statement, contract or other agreement is signed.

Example certification language is provided below:

Contracted Entity Certification Statement:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the (covered entity's name) stormwater management program and agree to implement any corrective actions identified by the (covered entity's name) or a representative. I also understand that the (covered entity's name) must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from the Municipal Separate Storm Sewer Systems ("MS4s") and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. Further, I understand that any non-compliance by (covered entity's name) will not diminish, eliminate, or lessen my own liability."

Part V. PROGRAM ASSESSMENT, RECORD KEEPING, REPORTING AND CERTIFICATION REQUIREMENTS

A. Assessment

Covered entities are required to collect and report information about the *development* and *implementation* of their SWMPs. Specific information the *small MS4s* are required to collect is identified in Parts VII or VIII, depending on the type of *small MS4*. The *small MS4s* are encouraged to collect additional information that will help them evaluate their *SWMP*. Collection of information over time will facilitate the evaluation of the *covered entity's SWMP* by allowing the examination of trends in the information collected.

The *covered entity* must conduct an annual evaluation of its program compliance, the appropriateness of its identified *BMPs*, meeting new permit requirements, and progress towards achieving its identified *measurable goals*, which must include reducing the *discharge* of pollutants to the *MEP*.
Where the evaluation shows that the SWMP is not reducing discharges to the *MEP*, the SWMP shall be revised to reduce discharges to the *MEP*. Update to the SWMP and the SWMP plan must be completed within a year from the annual evaluation of their SWMP with an implementation schedule no later than 3 years from the annual evaluation.

B. Recordkeeping

The *covered entity* must keep records required by this *SPDES general permit* (records that document *SWMP*, records included in *SWMP plan*, other records that verify reporting required by the permit, NOI, past annual reports, and comments from the public and the *Department*, etc.) for at least five (5) years after they are generated. Records must be submitted to the *Department* within 5 business days of receipt of a *Department* request for such information. The *covered entity* shall keep duplicate records (either hard copy or electronic), to have one copy for public observation and a separate working copy where the *covered entity's* staff, other individuals responsible for the *SWMP* and regulators, such as *Department* and EPA staff can access them. Records, including the NOI and the *SWMP plan*, must be available to the public at reasonable times during regular business hours.

C. Annual Reporting

1. Annual Report Submittal

The annual reporting period ends March 9 of each year. The annual report must be received in the *Department*'s Central Office, electronic or hard copy, no later than June 1 of each reporting year. If electronic, submit in accordance with procedures set forth by the *Department*. If mailed, send to the address below:

(Part V.C.1.)

NYS DEC "MS4 Coordinator"
Bureau of Water Permits
625 Broadway, 4th Floor
Albany, NY 12233-3505

Failure to submit a complete annual report and a complete MCC form (Part V.D) shall constitute a permit violation.

a. **Annual Report Submittal for Newly Regulated Covered entities (Small MS4s not Previously Authorized by GP-0-10-002)**
Newly regulated covered entities *developing* their *SWMP* are to submit their Annual Report in a format provided by the *Department*. They will provide, at a minimum, the information on the annual report form and the information required by Parts VII or VIII.

Newly regulated *covered entities* are required to submit their first annual report the year that authorization is granted if authorization is granted on or before December 31 of that reporting year.

b. **Annual Report Submittal for Covered entities Authorized by GP-0-10-002 (Continuing Covered entities)**
Beginning with annual reports due in 2010 *covered entities* implementing their *SWMP* shall submit, at a minimum, information specified by the *Department* in Part VII or VIII in a format provided by the *Department*.

2. **Shared Annual Reporting and Submittal**
Covered entities working together to *develop (for newly authorized MS4s)* and /or *implement* their *SWMP*s may complete a shared annual report. The shared annual report is an annual report that outlines and explains group activities, but also includes the tasks performed by individual *covered entities* (*BMPs, measurable goals*, schedules of planned activities, etc.). To facilitate the submission of one annual report for the entire group of *covered entities*, individual *covered entity's* activities may be incorporated into the report by either:

- providing the details specific to their *small MS4*(s) to a person(s) who incorporates that information into the group report. That one group report is submitted to the *Department* for all participating *small MS4s*; or
- providing the details specific to their *small MS4*(s) on a separate sheet(s) that will be attached with the one group report.

(Part V.C.2.)

Regardless of the method chosen, each *covered entity* must, by June 1 of the annual reporting year:

a. Provide their individual MCC form (see Part V.D) to be submitted with the shared annual report. Each *covered entity* must sign and submit an MCC form to take responsibility for all of the information in the annual report, which includes specific endorsement or acceptance of the shared annual report on behalf of the individual *covered entity*;

b. Present their draft annual report at a meeting (see Part VII.A.2.d or Part VIII.A.2.d for more information). For completed shared annual reports, the report may be presented by each participating individual *covered entity* at an existing *municipal* meeting or may be made available for comments on the internet. Additionally, *covered entities* participating in shared annual reporting may combine meetings to have a group or regional meeting. While the group meeting is allowable, each *covered entity* shall ensure that local public officials and members of the public are informed about the program, activities and progress made; and

c. Submit a summary of any comments received and (intended) responses on the individual *covered entity*'s information or the shared annual report information, as applicable. This information should be included with the annual report submission. Changes made to the *SWMP* in response to comments should be described in the annual report.

3. Annual Report Content

The annual report shall summarize the activities performed throughout the reporting period (March 10 to March 9) and must include at a minimum:

a. The status of compliance with permit conditions, including Watershed Improvement Strategy conditions;
b. An assessment/evaluation of:
   i. the appropriateness of the identified *BMPs*;
   ii. progress towards achieving the statutory goal of reducing the *discharge* of pollutants to the *MEP*; and
   iii. the identified *measurable goals* for each of the MCMs.
c. Results of information collected and analyzed, monitoring data, and an assessment of the *small MS4*'s *SWMP* progress toward the statutory goal of reducing the *discharge* of *pollutants* to the *MEP* during the reporting period. This could include results from required *SWMP* reporting, estimates of pollutant loading (from parameters such as identified illicit discharges, physically interconnected *small MS4*s that may contribute substantially to pollutant

(Part V.C.3.c.)

loadings from the *small MS4*) and pollutant load reductions (such as illicit discharges removed). This assessment may be submitted as an attachment;

d. When required to be completed, results of assessments of effectiveness in meeting no net increase requirements or TMDL loadings as required by III. B.1 and 2. These results must be submitted in evaluation forms and as an attachment;

e. A summary of the stormwater activities planned to be undertaken during the next reporting cycle (including an implementation schedule);

f. Any change in identified *BMPs* or *measurable goals* and justification for those changes;

g. Notice that a *small MS4* is relying on another entity to satisfy some or all of its permit obligations (if applicable);

h. A summary of the public comments received on this annual report at the public presentation required in Part VII.A.2. or VIII.A.2. And, as appropriate, how the *small MS4* will respond to comments and modify the program in response to the comments;

i. A statement that the final report and, beginning in 2009, the SWMP plan are available for public review and the location where they are available; and

j. The information specified under the reporting requirements for each MCM (Part VII or VIII).

D. Annual Report Certification

A signed original hard copy and a photocopy of the MCC form must be submitted to the *Department* no later than June 1 of each reporting year. If the annual report is mailed (Part V.C. above), the MCC form must be submitted with the annual report.

The MCC form, provided by the *Department*, certifies that all applicable conditions of Parts IV, VII, VIII and IX of this *SPDES general permit* are being *developed*, *implemented* and complied with. It must be signed by an individual as described in Part VI.J.2. The certification provided by the MCC form does not affect, replace or negate the certification required under Part VI.J(2)(d). If compliance with any requirement cannot be certified to on the MCC form, a complete explanation with a description of corrective measures must be included as requested on the MCC form.

Failure to submit a complete annual report (Part V.C.) and a complete MCC form shall constitute a permit violation.

Part VI. STANDARD PERMIT CONDITIONS

A. General Authority to Enforce

Three of the MCMs (illicit discharge detection and elimination, construction site *stormwater* runoff control and post-construction *stormwater* management) require local laws, ordinances or other regulatory mechanisms to ensure successful implementation of the MCMs. Some *covered entities*, however, are not enabled by state law to adopt local laws or ordinances. Those *covered entities* (typically non-traditional MS4s and traditional, non-land use control MS4s) are expected to utilize the authority they do possess to create or modify existing regulatory mechanisms, including but not limited to contracts, bid specifications, requests for proposals, etc. to ensure successful implementation.

B. Duty To Comply

A *covered entity* must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the CWA and the *ECL* and is grounds for enforcement action.

C. Enforcement

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

D. Continuation of the Expired SPDES General Permit

This *SPDES general permit* expires five years from the effective date of this permit. However, an administratively extended *SPDES general permit* continues in force and effect until the *Department* issues a new permit, unless a *covered entity* receives written notice from the *Department* to the contrary. *Operators* of the *MS4s* authorized under the administratively extended expiring *SPDES general permit* seeking coverage under the new *SPDES general permit* must refer to the terms within the new *SPDES general permit* to continue coverage.

E. Technology Standards

Covered entities, in accordance with written notification by the *Department*, must comply with all applicable technology-based effluent standards or limitations promulgated by EPA pursuant to Sections 301 and 304 of the CWA. If an effluent standard or limitation more stringent than any effluent limitation in the *SPDES general permit* or controlling a pollutant not limited in the permit is promulgated or approved

after the permit is issued, the *SWMP plan* shall be promptly modified to include that effluent standard or limitation.

F. Need To Halt or Reduce Activity Not a Defense

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

G. Duty to Mitigate

The *covered entity* shall take all reasonable steps to minimize or prevent any *discharge* in violation of this *SPDES general permit* which has a reasonable likelihood of adversely affecting human health or the environment.

H. Duty to Provide Information

The *covered entity* shall, within five (5) business days, make available for inspection and copying or furnish to the *Department* or an authorized representative of the *Department* any information that is requested to determine compliance with this *SPDES general permit*. Failure to provide information requested shall be a violation of the terms of this *SPDES general permit* and applicable regulation.

I. Other Information

Covered entities who become aware of a failure to submit any relevant facts or have submitted incorrect information in the NOI or in any other report to the *Department* must promptly submit such facts or information.

J. Signatory Requirements

All NOIs, reports, certifications or information submitted to the *Department*, or that this *SPDES general permit* requires be maintained by the *covered entity*, shall be signed as follows:

1. Notices of Intent

All NOIs shall be signed by either a principal executive officer or ranking elected official. Principal executive officer includes (1) the chief executive officer of the municipal entity agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports Required and Other Information Requested

All reports required by this *SPDES general permit* and other information requested by the *Department,* including MCC forms (part V.D.), shall be signed by a person

(Part VI.J.2.)

described above or by a duly authorized representative of that person[4]. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in VI.J.1 above and submitted to the *Department*; and

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or well field, superintendent, or position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the *covered entity* (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and

c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the MCC form; and

d. **Changes to authorization.** If an authorization to discharge is no longer accurate because a different *covered entity* has responsibility for the overall operation of another *covered entity's* program, these changes must be indicated on the MCC form submitted to the *Department* per Part V.D.

e. **Initial signatory authorization or changes to signatory authorization.** The initial signatory authorization must be submitted to the *Department* with any reports to be signed by a signatory representative. If a signatory authorization under VI.J.2 is no longer accurate because a different individual, or position, has responsibility for the overall operation of the facility, a new signatory authorization satisfying the requirements of VI.J.2 must be submitted to the *Department* with any reports to be signed by an authorized representative.

f. **Certification.** Any person signing documents under paragraph VI.H shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the

[4]Positions that must be duly authorized include, but are not limited to, Environmental Directors, Deputy Supervisors, Safety and Environmental Managers, Assistant Directors, and Chief Health and Safety Officers.

(Part VI.J.2.f.)

information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information."

Under Part VI.J. (Signatory Requirements), it shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, and/or reports.

K. Penalties for Falsification of Reports

Article 17 of the *ECL* provides a civil penalty of $37,500 per day per violation of this permit. Articles 175 and 210 of the New York State Penal Law provide for a criminal penalty of a fine and / or imprisonment for falsifying reports required under this permit..

L. Oil and Hazardous Substance Liability

Nothing in this *SPDES general permit* shall be construed to preclude the institution of any legal action or relieve the *covered entity* from any responsibilities, liabilities, or penalties to which it is or may be subject under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

M. Property Rights

The issuance of this *SPDES general permit* does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations, nor does it limit, diminish and / or stay compliance with any terms of this permit.

N. Severability

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

O. Requiring an Individual Permit or an Alternative General Permit

1. In its sole discretion, the *Department* may require any person authorized by this *SPDES general permit* to apply for and/or obtain either an *individual SPDES permit* or an alternative *SPDES general permit*. Where the *Department* requires a *covered entity* to apply for an *individual SPDES permit*, the *Department* will notify such

person in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for filing the application, and a deadline not sooner than 180 days from covered entity's receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Regional Office. The *Department* may grant additional time to submit the application upon request of the applicant.

2. Any *covered entity* authorized by this *SPDES general permit* may request to be excluded from the coverage of this *SPDES general permit* by applying for an *individual SPDES permit or an alternative SPDES general permit*. In such cases, a *covered entity* must submit an individual application or an application for an alternative *SPDES general permit* in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the *Department* at the address for the appropriate Regional Office. The request may be granted by issuance of any *individual SPDES permit* or an alternative *SPDES general permit* if the reasons cited by the *covered entity* are adequate to support the request.

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

P. Other State Environmental Laws

1. Nothing in this *SPDES general permit* shall be construed to preclude the institution of any legal action or relieve a *covered entity* from any responsibilities, liabilities, or penalties established pursuant to any applicable *State* law or regulation under authority preserved by section 510 of the CWA.

2. No condition of this *SPDES general permit* releases the *covered entity* from any responsibility or requirements under other environmental statutes or regulations.

Q. Proper Operation and Maintenance

A *covered entity* must 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 *covered entity* to achieve compliance with the conditions of this *SPDES general permit*. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems,

installed by a *covered entity* only when necessary to achieve compliance with the conditions of the *SPDES general permit*.

R. Inspection and Entry

The *covered entity* shall allow the Commissioner of NYSDEC, the Regional Administrator of the USEPA, the applicable county health department, or their authorized representatives, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the *covered entity's* premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this *SPDES general permit*;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, including records required to be maintained for purposes of operation and maintenance; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit.

S. Permit Actions

At the *Department*'s sole discretion, this *SPDES general permit* may be modified, revoked, suspended, or renewed for cause at any time.

T. Anticipated noncompliance

The covered entity shall give advance notice to the *Department* of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of planned changes or anticipated noncompliance does not limit, diminish and / or stay compliance with any terms of this permit.

U. Permit Transfers.

Coverage under this *SPDES general permit* is not transferable to any person except after notice to the *Department.* The *Department* may require modification or revocation and reissuance of this SPDES general permit to change the responsible party and incorporate such other requirements as may be necessary.

Part VII. MINIMUM CONTROL MEASURES - TRADITIONAL LAND USE CONTROL

A. Traditional Land-Use Control MS4 Minimum Control Measures (MCMs)

These MCMs apply to *traditional land use control MS4s* (cities, towns, villages). The SWMP for these *small MS4s* must be comprised of the 6 MCMs below. It is recommended that covered entities refer to assistance and guidance documents available from the *State* and EPA.

Continuing covered entities were required to develop a SWMP with the MCM requirements below by January 8, 2008 (if authorized by GP-02-02) and within three years of gaining coverage (if authorized by GP-0-10-002). Under this *SPDES general permit*, the continuing *covered entities* are required to implement their SWMP, including the MCM requirements below. Notwithstanding any sooner deadlines contained elsewhere within this permit, newly regulated *covered entities* are required to develop their SWMP, containing the MCM requirements below, within the first 3 years of coverage and then commence implementation.

For each of the elements of the SWMP plan, the *covered entity* must identify (i) the agencies and/or offices that would be responsible for implementing the SWMP plan element and (ii) any protocols for coordination among such agencies and/or offices necessary for the implementation of the plan element.

The *covered entity* may *develop (for newly authorized MS4s)* and /or *implement* their *SWMP* within their jurisdiction on their own. The *covered entity* may also *develop (for newly authorized MS4s)* and / or *implement* part or all of their *SWMP* through an intermunicipal program with another *covered entity*(s) or through other cooperative or contractual agreements with third parties that provide services to the *covered entities*.

1. **Public Education and Outreach - SWMP Development / Implementation**
   At a minimum, all *covered entities* must:

   a. Identify *POCs*, waterbodies of concern, geographic areas of concern, target audiences;

   b. *Develop (for newly authorized MS4s)* and *implement* an ongoing public education and outreach program designed to describe to the general public and target audiences:
      i. the impacts of *stormwater discharges* on waterbodies;
      ii. *POC*s and their sources;
      iii. steps that contributors of these pollutants can take to reduce pollutants in *stormwater* runoff; and

(Part VII.A.1.b.)

iv. steps that contributors of non-*stormwater discharges* can take to reduce pollutants (non-*stormwater discharges* are listed in Part I.A.2);

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

d. Select and implement appropriate education and outreach *activities* and *measurable goals* to ensure the reduction of all *POC*s in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

e. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. list education / outreach *activities* performed for the general public and target audiences and provide any results (for example, number of people attended, amount of materials distributed, etc.);
ii. *covered entities* performing the education and outreach activities required by other MCMs (listed below), may report on those activities in MCM 1 and provide the following information applicable to their program:
- IDDE education *activities* planned or completed for public employees, businesses, and the general public, as required by Part VII.A.3;
- construction site *stormwater* control training planned or completed, as required by Part VII.A.4; and
- employee pollution prevention / good housekeeping training planned or completed, as required by Part VII.A.6; and

To facilitate shared annual reporting, if the education and outreach activities above are implemented by a third party, and the third party is completing the associated portions of the annual report, that third party may report on the education and outreach activities within MCM 1 of the annual report and not within the MCMs that the education and outreach activities are required by,
iii. report on effectiveness of program, *BMP* and *measurable goal* assessment; and
iv. maintain records of all training activities.

f. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:

(Part VII.A.1.f.i.)

Complete in Year 1 (report changes in Year 2 and 3 as needed):
- list (and describe if necessary) *POCs*;
- *development* of education and outreach program and *activities* for the general public and target or priority audiences that address *POC*s, geographic areas of concern, and / or *discharges* to *303(d)* / *TMDL* waterbodies;
- *covered entities* developing education and outreach programs required by other MCMs (listed below), may report on development (and implementation of those activities, if occurring during the three year development period) in MCM 1 and provide the following information applicable to their program:
  - IDDE education *activities* planned or completed for public employees, businesses, and the general public for IDDE, as required by Part VII.A.3;
  - Construction site stormwater control training planned or completed, as required by Part VII.A.4; and
  - employee pollution prevention / good housekeeping training planned or completed, as required by Part VII.A.6;

  To facilitate shared annual reporting, if the education and outreach activities above are developed by a third party, and the third party is completing the associated portions of the annual report, that third party may report on the education and outreach activities within MCM 1 of the annual report and not within the MCMs that the education and outreach activities are required by.

ii. **program *implementation* reporting** as set forth in Part VII.A.1(e) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

2. **Public Involvement / Participation - SWMP Development / Implementation**
   At a minimum, all *covered entities* must:

   a. Comply with the *State Open Meetings Law* and local public notice requirements, such as *Open Meetings Law*, when implementing a public involvement / participation program;

   b. *Develop (for newly authorized MS4s)* and *implement* a public involvement/participation program that:

      i. identifies key individuals and groups, public and private, who are interested in or affected by the *SWMP* ;

(Part VII.A.2.b.)

ii. identifies types of input the *covered entity* will seek from the key individuals and groups, public and private, to support *development* and *implementation* of the SWMP program and how the input will be used; and

iii. describes the public involvement / participation activities the *covered entity* will undertake to provide program access to those who want it and to gather the needed input. The activities included, but are not limited to a water quality hotline (report spills, dumping, construction sites of concern, etc.), stewardship activities like stream cleanups, storm drain marking, and volunteer water quality monitoring;

iv. provide the opportunity for the public to participate in the *development*, *implementation,* review, and revision of the *SWMP.*

c. **Local stormwater public contact.**
Identify a local point of contact for public concerns regarding *stormwater* management and compliance with this *SPDES general permit*. The name or title of this contact and the telephone number must be published in public outreach and public participation materials and kept updated with the *Department* on the MCC form;

d. **Annual report presentation.**
Below are the requirements for the annual report presentation:

i. prior to submitting the final annual report to the *Department*, by June 1 of each reporting year (see Part V.C.), present the draft annual report in a format that is open to the public, where the public can ask questions about and make comments on the report. This can be done:

- at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report. This may be a regular meeting of an existing board, such as planning, zoning or the town board. It may also be a separate meeting, specifically for *stormwater*. If multiple *covered entities* are working together, they may have a group meeting (refer to Part V.C.2); or

- on the internet by:
  - making the annual report available to the public on a website;
  - providing the public the opportunity to provide comments on the internet or otherwise; and

(Part VII.A.2.d.i.)

- making available the opportunity for the public to request an open meeting to ask questions about and make comments on the report. If a public meeting is requested by 2 or more persons, the covered entity must hold such a meeting. However, the covered entity need only hold a public meeting once to satisfy this requirement.

ii. provide public notice about the presentation, making public the following information when noticing the presentation in accordance with the local public notice requirements:

- the placement of the annual report on the agenda of this meeting or location on the internet;
- the opportunity for public comment. This *SPDES general permit* does not require a specified time frame for public comments, although it is recommended that *covered entities* do provide the public an opportunity to comment for a period after the meeting. Comments received after the final annual report is submitted shall be reported with the following year's annual report. *Covered entities* must take into account those comments in the following year;
- the date and time of the meeting or the date the annual report becomes available on the internet; and
- the availability of the draft report for prior review prior to the public meeting or duration of availability of annual report on the internet;

iii. the *Department* recommends that announcements be sent directly to individuals (public and private) known to have a specific interest in the *covered entity's SWMP*;

iv. include a summary of comments and (intended) responses with the final annual report. Changes made to the *SWMP* in response to comments should be described in the annual report; and

v. ensure that a copy of the final report and, beginning in 2009, the SWMP plan are available for public inspection;

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

(Part VII.A.2.)

f. Select and implement appropriate public involvement / participation *activities* and *measurable goals* to ensure the reduction of *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

g. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment;
   ii. comments received and intended responses (as an attachment);
   iii. public involvement / participation *activities* (for example stream cleanups including the number of people participating, the number of calls to a water quality hotline, the number and extent of storm drain stenciling); and
   iv. report on effectiveness of program, *BMP* and *measurable goal* assessment.

h. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. **program *development* deadlines and reporting**:
   Complete for Year 1, 2 and 3:
   - annual report presentation information (date, time, attendees);
   - comments received and intended responses (as an attachment);

   Complete by end of Year 2 (report changes by end of Year 3 as needed):
   - key stake holders identified;
   - *development* of public involvement / participation plan based on the *covered entity's* needs, *POCs*, target audiences, geographic areas of concern, *discharges* to *303(d)* / *TMDL* waterbodies; and
   - *development* of public involvement / participation *activities* (for example stream cleanups including the number of people participating, the number of calls to a dumping / water quality hotline, the number or percent of storm drains stenciled);

   ii. **program *implementation* reporting**, as set forth in Part VII.A.2(g) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

(Part VII.A.)

3. **Illicit Discharge Detection and Elimination (IDDE) - SWMP Development / Implementation**

   At a minimum, all *covered entities* must:

   a. *Develop (for newly authorized MS4s), implement* and enforce a program to detect and eliminate *illicit discharges* (as defined at 40CFR 122.26(b)(2)) into the *small MS4*;

   b. *Develop (for newly authorized MS4s)* and maintain a map, at a minimum within the *covered entity's* jurisdiction in the *urbanized area* and *additionally designated* area, showing:

      i. the location of all *outfalls* and the names and location of all *surface waters of the State* that receive *discharges* from those *outfalls*;
      ii. by March 9, 2010, the preliminary boundaries of the *covered entity's storm sewersheds* have been determined using GIS or other tools, even if they extend outside of the *urbanized area* (to facilitate track down), and *additionally designated* area within the *covered entity's* jurisdiction; and
      iii. when grant funds are made available or for sewer lines surveyed during an illicit discharge track down, the *covered entity's* storm sewer system in accordance with available *State* and EPA guidance;

   c. Field verify *outfall* locations;

   d. Conduct an outfall reconnaissance inventory, as described in the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, addressing every *outfall* within the *urbanized area* and *additionally designated area* within the *covered entity's* jurisdiction at least once every five years, with reasonable progress each year;

   e. Map new *outfalls* as they are constructed or newly discovered within the *urbanized area* and *additionally designated area*;

   f. Prohibit, through a law, ordinance, or other regulatory mechanism, *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions. This mechanism must be equivalent to the *State's* model IDDE local law "NYSDEC Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems". The mechanism must be certified by the attorney representing the *small MS4* as being equivalent to the *State*'s model illicit discharge local law. Laws adopted during the GP-02-02 permit cycle must also be attorney-certified as effectively assuring implementation of the *State*'s model IDDE law;

(Part VII.A.3.)

g. *Develop (for newly authorized MS4s)* and *implement* a program to detect and address non-stormwater *discharges,* including illegal dumping, to the *small MS4* in accordance with current assistance and guidance documents from the State and EPA. The program must include: procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for the IDDE program; description of priority areas of concern, available equipment, staff, funding, etc.; procedures for identifying and locating *illicit discharges* (trackdown); procedures for eliminating *illicit discharges*; and procedures for documenting actions;

h. 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;

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

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

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

Required SWMP Reporting

l. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. number and percent of *outfalls* mapped;
ii. number of *illicit discharges* detected and eliminated;
iii. percent of outfalls for which an outfall reconnaissance inventory has been performed. ;
iv. status of system mapping;
v. activities in and results from informing public employees, businesses, and the general public of hazards associated with illegal *discharges* and improper disposal of waste;
vi. regulatory mechanism status - certification that law is equivalent to the *State's* model IDDE law (if not already completed and submitted with an earlier annual report); and
vii. report on effectiveness of program, *BMP* and *measurable goal* assessment.

(Part VII.A.3.)

m. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Complete in Year 1 (revise in Year 2 and 3 if changes are made):
- describe procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for IDDE program;
- describe priority areas of concern, available equipment, staff, funding, etc.;

Initiate by end of Year 1; complete by end of Year 2 (revise in Year 3 if changes are made):

- describe procedures for identifying and locating *illicit discharges* (trackdown);
- describe procedures for eliminating *illicit discharges*;
- describe procedures for enforcing against illicit dischargers;
- describe procedures for documenting actions;
- describe the program being developed for informing public employees, businesses, and the general public of hazards associated with illegal *discharges* and improper disposal of waste;

Initiate by end of Year 1; complete by end of Year 3:
- regulatory mechanism status development and adoption - by end of Year 3 certify that regulatory mechanism is equivalent to the *State's* model IDDE law (if not already completed and submitted with an earlier report);

Initiate by end of Year 2; complete by end of Year 3:
- number and percent of *outfalls* mapped; and

Complete by Year 3:
- *outfall* map.

ii. **program *implementation* reporting** as set forth in Part VIII.A.3(l) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

4. Construction Site Stormwater Runoff Control - SWMP Development / Implementation
At a minimum, all *covered entities* must:
a. *Develop (for newly authorized MS4s)*, *implement*, and enforce a program that:

(Part VII.A.4.a.)

i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (either GP-02-01, GP-0-08-001 or GP-0-15-002), unless more stringent requirements are contained within this *SPDES general permit*;

ii. 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*;

iii. 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:
   - this mechanism must be equivalent to one of the versions of the "NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control"; and
   - equivalence must be documented
     -by adoption of one of the sample local laws without changes;
     - by using the NYSDEC Gap Analysis Workbook; or
     - by adoption of a modified version of the sample law, or an alternative law, and, in either scenario, certification by the attorney representing the small MS4 that the adopted law is equivalent to one of the sample local laws.

iv. contains requirements for construction site operators to implement erosion and sediment control management practices;

v. allows for sanctions to ensure compliance to the extent allowable by State law;

vi. contains requirements for construction site operators to 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;

vii. describes procedures for *SWPPP* review with consideration of potential water quality impacts and review of individual *SWPPP*s to ensure consistency with *State* and local sediment and erosion control requirements;

(Part VII.A.4.a.vii.)

- ensure that the individuals performing the reviews are adequately trained and understand the *State* and local sediment and erosion control requirements;
- all *SWPPP*s must be reviewed for sites where the disturbance is one acre or greater; and
- after review of *SWPPP*s, 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*;

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

ix. 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.

x. 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 *SWPPP*s, construction site inspections, and other procedures associated with control of construction stormwater;

(Part VII.A.4.a.)

xi. 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. Small home site construction (construction where the Erosion and Sediment Control Plan is developed in accordance with Appendix E of the "New York Standards and Specifications for Erosion and Sediment Control") is exempt from the requirements below:
   - training may be provided by the *Department* or other qualified entities (such as Soil and Water Conservation Districts);
   - the *covered entity* is not expected to perform such training, but they may co-sponsor training for construction site operators in their area;
   - the *covered entity* may ask for a certificate of completion or other such proof of training; and
   - the *covered entity* may provide notice of upcoming sediment and erosion control training by posting in the building department or distribute with building permit application;

xii. establishes and maintains an inventory of active construction sites, including the location of the site, owner / operator contact information;

xiii. *develop (for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and

xiv. select and appropriate construction *stormwater BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

b. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. number of *SWPPPs* reviewed;
ii. number and type of enforcement actions;
iii. percent of active construction sites inspected once;
iv. percent of active construction sites inspected more than once;
v. number of construction sites authorized for disturbances of one acre or more; and
vi. report on effectiveness of program, *BMP* and *measurable goal* assessment.

c. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

(Part VII.A.4.c.)

i. **program *development* deadlines and reporting**:

Initiate by end of Year 1:

- procedures, activities and identify personnel to educate and train construction site operators about requirements to develop and implement a SWPPP and any other requirements that must be met within the MS4's jurisdiction;

Complete in Year 1 (revise in Year 2 and 3 if changes are made):

- describe procedures for the receipt and consideration of information submitted by the public. Identify the responsible personnel;

Initiate by end of Year 1; complete by end of Year 3:

- regulatory mechanism development and adoption status - by end of Year 3 certify that regulatory mechanism is equivalent to one of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control (if not already completed and submitted with an earlier report);

Initiate by end of Year 2; complete by end of Year 3:

- describe procedures for SWPPP review that incorporate consideration of potential water quality impacts and ensure consistency with local sediment and erosion control requirements;
- describe procedures for construction site inspections; and
- describe procedures for enforcement of control measures and sanctions to ensure compliance.

ii. **program *implementation* reporting** as set forth in Part VII.A.4(b) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

5. Post-Construction Stormwater Management - **SWMP Development/Implementation**

At a minimum, all *covered entities* must:

a. *Develop (for newly authorized MS4s)*, *implement*, and enforce a program that:

i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (either GP-02-01, GP-0-08-001, or GP-0-15-002), unless more stringent requirements are contained within this *SPDES general permit*;

ii. addresses *stormwater* runoff from new 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 projects of less than one acre must be included in the program if:

- that project is part of a *larger common plan of development or sale*; or
- if controlling such activities in a particular watershed is required by the *Department*;

iii. includes a law, ordinance or other regulatory mechanism to require post 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 mechanism must be equivalent to one of the versions of the" NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control"; and
- equivalence must be documented
  -by adoption of one of the sample local laws without changes;
  - by using the NYSDEC Gap Analysis Workbook; or
  - by adoption of a modified version of the sample law, or an alternative law, and, in either scenario and certification by the attorney representing the small MS4 that the adopted law is equivalent to one of the sample local laws;

iv. 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. In the development of the watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations, covered entities must consider principles of *Low Impact Development* (LID), *Better Site Design* (BSD), and other *Green Infrastructure* practices to the MEP. In the development of the watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations, covered entities must consider smart growth principles, natural resource protection, impervious area reduction, maintaining natural hydrologic conditions in developments, riparian buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils.

- *covered entities* are required to review according to the *Green Infrastructure* practices defined in the Design Manual at a site level, and are encouraged to review, and revise where appropriate, local codes and laws that include provisions that preclude green infrastructure or construction techniques that minimize or reduce pollutant loadings.

(Part VII.A.5.a.iv.)

- if a *stormwater* management practice is designed and installed in accordance with the New York State Stormwater Management Design Manual or has been demonstrated to be equivalent and is properly operated and maintained, then *MEP* will be assumed to be met for post-construction *stormwater* discharged by the practice;

v. describes procedures for *SWPPP* review with consideration of potential water quality impacts and review of individual *SWPPP*s to ensure consistency with state and local post-construction *stormwater* requirements;
   - ensure that the individuals performing the reviews are adequately trained and understand the *State* and local post construction *stormwater* requirements;
   - ensure that the individuals performing the reviews for SWPPPs that include post-construction stormwater management practices are *qualified professionals* or under the supervision of a *qualified professional*;
   - all *SWPPP*s must be reviewed for sites where the disturbance is one acre or greater;
   - 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 (GP-0-15-002) when notifying construction site owner / operators that their plans have been accepted by the *covered entity*;

   - utilize available training from sources such as Soil and Water Conservation Districts, Planning Councils, The New York State Department of State, USEPA, and/or the *Department* to educate municipal boards and Planning and Zoning Boards on low impact development principles, better site design approach, and green infrastructure applications.

vi. maintain an inventory of post-construction stormwater management practices within the *covered entities* jurisdiction. At a minimum, include practices discharging to the *small MS4* that have been installed since March 10, 2003, all practices owned by the *small MS4*, and those practices found to cause or contribute to water quality standard violations.
   - the inventory shall include at a minimum: location of practice (street address or coordinates); type of practice; maintenance needed per the NYS Stormwater Management Design Manual, *SWPPP*, or other provided documentation; and dates and type of maintenance performed; and

(Part VII.A.5.a.)

vii. ensures adequate long-term operation and maintenance of management practices identified in Part VII.5.a.vi by trained staff, including inspection to ensure that practices are performing properly.
- The inspection shall include inspection items identified in the maintenance requirements (NYS Stormwater Management Design Manual, *SWPPP*, or other maintenance information) for the practice. *Covered entities* are not required to collect *stormwater* samples and perform specific chemical analysis;

viii. Covered entities may include in the SWMP Plan provisions for development of a banking and credit system. MS4s must have an existing watershed plan based on which offsite alternative stormwater management in lieu of or in addition to on-site stormwater management practices are evaluated. Redevelopment projects must be evaluated for pollutant reduction greater than required treatment by the state standards. The individual project must be reviewed and approved by the *Department*. Use of a banking and credit system for new development is only acceptable in the impaired watersheds to achieve the no net increase requirement and watershed improvement strategy areas to achieve pollutant reductions in accordance with watershed plan load reduction goals. A banking and credit system must at minimum include:
- Ensure that offset exceeds a standard reduction by factor of at least 2
- Offset is implemented within the same watershed
- Proposed offset addresses the POC of the watershed
- Tracking system is established for the watershed
- Mitigation is applied for retrofit or redevelopment
- Offset project is completed prior to beginning of the proposed construction
- A legal mechanism is established to implement the banking and credit system

b. *Develop (for newly authorized MS4s)*, *implement*, and provide adequate resources for a program to inspect development and re-development sites by trained staff and to enforce and penalize violators;

c. *Develop (for newly authorized MS4s)*, record, annually assess and modify as needed *measurable goals*; and

d. Select and implement appropriate post-construction *stormwater BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

(Part VII.A.5.)

Required SWMP Reporting

e. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. number of *SWPPPs* reviewed;
   ii. number and type of enforcement actions;
   iii. number and type of post-construction stormwater management practices inventoried;
   iv. number and type of post-construction stormwater management practices inspected;
   v. number and type of post-construction stormwater management practices maintained;
   vi. regulatory mechanism status - certification that regulatory mechanism is equivalent to one of the "NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control" (if not already done); and
   vii. report on effectiveness of program, BMP and measurable goal assessment, and implementation of a banking and credit system, if applicable;

f. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. **program *development* deadlines and reporting**:
   Initiate by end of Year 1; complete by end of Year 3:
   - regulatory mechanism development and adoption status - by end of Year 3 certify that regulatory mechanism is equivalent to one of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control (if not already completed and submitted with an earlier report);

   Initiate by end of Year 2; complete by end of Year 3:
   - procedures for SWPPP review to ensure that post-construction stormwater management practices meet the most current version of the state technical standards;
   - procedures for inspection and maintenance of post-construction management practices;
   - procedures for enforcement and penalization of violators; and

   Complete by the end of year 3:

(Part VII.A.5.f.i.)

- provide resources for the program to inspect new and re-development sites and for the enforcement and penalization of violators.

ii. **program *implementation* reporting** as set forth in Part VII.A.5(e) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

6. Pollution Prevention/Good Housekeeping For Municipal Operations - SWMP Development / Implementation

At a minimum, all *covered entities* must:

a. *Develop (for newly authorized MS4s)* and *implement* a pollution prevention / good housekeeping program for *municipal* operations and facilities that:

i. addresses *municipal* operations and facilities that contribute or potentially contribute *POCs* to the *small MS4* system. The operations and facilities may include, but are not limited to: street and bridge maintenance; winter road maintenance; stormwater system maintenance; vehicle and fleet maintenance; park and open space maintenance; municipal building maintenance; solid waste management; new construction and land disturbances; right-of-way maintenance; marine operations; hydrologic habitat modification; or other;

ii. at a minimum frequency of once every three years, perform and document a self assessment of all municipal operations addressed by the SWMP to:
- determine the sources of pollutants potentially generated by the *covered entity*'s operations and facilities; and
- identify the *municipal* operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it is not done already;

iii. determines *management practices*, policies, procedures, etc. that will be *developed* and *implemented* to reduce or prevent the discharge of (potential) pollutants. Refer to management practices identified in the "NYS Pollution Prevention and Good Housekeeping Assistance Document" and other guidance materials available from the EPA, *State,* or other organizations;

iv. prioritizes pollution prevention and good housekeeping efforts based on geographic area, potential to improve water quality, facilities or operations most in need of modification or improvement, and *covered entity*'s capabilities;

(Part VII.A.6.a.)

v. addresses pollution prevention and good housekeeping priorities;

vi. includes an employee pollution prevention and good housekeeping training program and ensures that staff receive and utilize training;

vii. requires third party entities performing contracted services, including but not limited to street sweeping, snow removal, lawn / grounds care, etc., to meet permit requirements as the requirements apply to the activity performed ; and

viii. requires *municipal* operations and facilities that would otherwise be subject to the NYS Multi-sector General Permit (MSGP, GP-0-12-001) for industrial stormwater discharges to prepare and *implement* provisions in the SWMP that comply with Parts III. A, C, D, J, K and L of the MSGP. The covered entity must also perform monitoring and record keeping in accordance with Part IV. of the MSGP. Discharge monitoring reports must be attached to the MS4 annual report. Those operations or facilities are not required to gain coverage under the MSGP. *Implementation* of the above noted provisions of the SWMP will ensure that MEP is met for discharges from those facilities;

b. Consider and incorporate cost effective runoff reduction techniques and green infrastructure in the routine upgrade of the existing stormwater conveyance systems and municipal properties to the MEP. Some examples include replacement of closed drainage with grass swales, replacement of existing islands in parking lots with rain gardens, or curb cuts to route the flow through below grade infiltration areas or other low cost improvements that provide runoff treatment or reduction.

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

d. Select and implement appropriate pollution prevention and good housekeeping *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

e. Adopt techniques to reduce the use of fertilizers, pesticides, and herbicides, as well as potential impact to surface water.

Required SWMP Reporting

f. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). *Covered entities* are required to report on

(Part VII.A.6.f.)

all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally designated area*) that their program is addressing. The *covered entity* shall report at a minimum on the items below:

i. indicate the *municipal* operations and facilities that the pollution prevention and good housekeeping program assessed;
ii. describe, if not done so already, the management practices, policies and procedures that have been developed, modified, and / or implemented and report, at a minimum, on the items below that the *covered entity's* pollution prevention and good housekeeping program addressed during the reporting year:

- acres of parking lot swept;
- miles of street swept;
- number of catch basins inspected and, where necessary, cleaned;
- post-construction control stormwater management practices inspected and, where necessary, cleaned;
- pounds of phosphorus applied in chemical fertilizer
- pounds of nitrogen applied in chemical fertilizer; and
- acres of pesticides / herbicides applied.

iii. staff training events and number of staff trained; and
iv. report on effectiveness of program, *BMP* and *measurable goal* assessment. If the pollution prevention and good housekeeping program addresses other operations than what is listed above in Part VII.A.6.a(ii), the *covered entity* shall report on items that will demonstrate program effectiveness.

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). *Covered entities* are required to report on all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally designated area*) that their program is addressing. The *covered entity* shall report at a minimum on the items below:

i. **program *development* deadlines and reporting** (first three years after authorization is granted):
Complete by end of Year 1:
- identify the municipal operations and facilities that will be considered for inclusion in the pollution prevention and good housekeeping program;
- describe the pollution prevention and good housekeeping program priorities (geographic area, potential to improve water quality; facilities or operations most in need of modification or improvement);

(Part VII.A.6.g.i.)

- describe management practices, policies, procedures, etc. that will be developed or modified;
- identify the staff and equipment available;

Initiate by end of Year 2; complete by end of Year 3:

- describe employee pollution prevention and good housekeeping program training program and begin training, report on number of staff trained; and

Complete by end of Year 3:

- description of developed management practices.

ii. **program *implementation* reporting** as set forth in Part VII.A.6.(d) above. Commence reporting after three year *development* permit. *Implementation* reporting may begin earlier if *implementation* begins during development period.

PART VIII. MINIMUM CONTROL MEASURES - TRADITIONAL NON-LAND USE CONTROL AND NON-TRADITIONAL MS4s

A. Traditional Non-Land Use Control and Non-traditional MS4 Minimum Control Measures (MCMs)

These MCMs apply to *traditional non-land use control MS4s* and *non-traditional MS4s*. The SWMP for these *small MS4s* must be comprised of the 6 MCMs below. It is recommended that covered entities refer to assistance and guidance documents available from the *State* and EPA.

Under this *SPDES general permit*, the continuing *covered entities* are required to implement their SWMP, including the MCM requirements below. Newly regulated covered entities are required to develop their SWMP, containing the MCM requirements below, within the first 3 years of coverage and then commence implementation.

The *covered entity* may *develop (for newly authorized MS4s)* and / or *implement* their *SWMP* within their jurisdiction on their own. The *covered entity* may also *develop (for newly authorized MS4s)* and / or *implement* part or all of their *SWMP* through an intermunicipal program with another *covered entity*(s) or through other cooperative or contractual agreements with third parties that provide services to the *covered entity(s)*.

For each of the elements of the SWMP plan, the *covered entity* must identify (i) the agencies and/or offices that would be responsible for implementing the SWMP plan element and (ii) any protocols for coordination among such agencies and/or offices necessary for the implementation of the plan element.

To comply with the requirements of this *SPDES general permit*, the *traditional non-land use control MS4s* and *non-traditional MS4s* should consider their public to be the employee / user population, visitors, or contractors / developers. Examples of the public include, but are not limited to:

- transportation *covered entities* - general public using or living along transportation systems, staff, contractors;
- educational *covered entities* - faculty, other staff, students, visitors;
- other government *covered entities* - staff, contractors, visitors.

1. Public Education and Outreach on Stormwater Impacts SWMP Development / Implementation

At a minimum, all *covered entities* must:

a. Identify *POC*s, waterbodies of concern, geographic areas of concern, target audiences;

(Part VIII.A.1.)

b. *Develop (for newly authorized MS4s)* and *implement* an ongoing public education and outreach program designed to describe:
   i. the impacts of *stormwater discharges* on waterbodies;
   ii. *POCs* and their sources;
   iii. steps that contributors of these pollutants can take to reduce pollutants in *stormwater* runoff; and
   iv. steps that contributors of non-*stormwater discharges* can take to reduce pollutants (non-*stormwater discharges* are listed in Part I.A.2);

c. Educational materials may be made available at, locations including, but not limited to:
   i. at service areas, lobbies, or other locations where information is made available;
   ii. at staff training;
   iii. on *covered entity's* website;
   iv. with pay checks; and
   v. in employee break rooms;

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

e. Select and implement appropriate education and outreach *activities* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

f. At a minimum, the *covered entity* shall report on the items below:

   i. list education / outreach *activities* performed and provide any results (number of people attended, amount of materials distributed, etc.);
   ii. education of the public about the hazards associated with illegal *discharges* and improper disposal of waste as required by Part VIII.A.3, may be reported in this section;
   iii. *covered entity's* performing the education and outreach activities required by other MCMs (listed below), may report on those activities in MCM 1 and provide the following information applicable to their program:
      - IDDE education *activities* planned or completed for the public, as required by Part VIII.A.3;
      - construction site *stormwater* control training planned or completed, as required by Part VIII.A.4; and
      - employee pollution prevention / good housekeeping training planned or completed, as required by Part VIII.A.6;

      To facilitate shared annual reporting, if the education and outreach activities above are implemented by a third party, and the third party is completing the

(Part VIII.A.1.f.iii.)

associated portions of the annual report, that third party may report on the education and outreach activities within MCM 1 of the annual report and not within the MCMs that the education and outreach activities are required by;

iv. report on effectiveness of program, *BMP* and *measurable goal* assessment; and

v. maintain records of all training activities

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Complete in Year 1 (report changes in Year 2 and 3 as needed):
- list (and describe if necessary) POCs;
- *development* of education and outreach program and activities for the public that address *POCs*, geographic areas of concern, and / or *discharges* to *303(d)* / *TMDL* waterbodies;
- *covered entities* developing education and outreach programs required by other MCMs (listed below), may report on development (and implementation of
those activities, if occurring during the three year development period) in MCM 1 and provide the following information applicable to their program:
  - IDDE education *activities* planned or completed for the public, as required by Part VIII.A.3;
  - construction site *stormwater* control training planned or completed, as required by Part VIII.A.4; and
  - employee pollution prevention / good housekeeping training planned or completed, as required by Part VIII.A.6.

To facilitate shared annual reporting, if the education and outreach activities above are implemented by a third party, and the third party is completing the associated portions of the annual report, that third party may report on the education and outreach activities within MCM 1 of the annual report and not within the MCMs that the education and outreach activities are required by.

ii. **Program *implementation* reporting** as set forth in Part VIII.A.1(f) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

2. Public Involvement/Participation - **SWMP Development / Implementation**
At a minimum, all *covered entities* must:

(Part VIII.A.2.)

a. Comply with *State* and local public notice requirements identified below when implementing a public involvement / participation program:
   i. *traditional non-land use control MS4s* shall comply with the *State Open Meetings Law* and local public notice requirements, such as *Open Meetings Law*; and

   ii. *traditional non-land use control MS4s* and *non-traditional MS4s* may comply with this requirement by determining who their public is (staff, visitors, contractors, etc.) and posting notifications (as needed) in areas viewable by the public. Such areas include common areas, bulletin boards, agency/office web pages, etc. For *small MS4s* whose public are in multiple locations, notifications shall be made available to the public in all locations within the urbanized or additionally designated areas;

b. Provide the opportunity for the public to participate in the *development*, *implementation,* review, and revision of the *SWMP*;

c. **Local stormwater public contact.**
   Identify a local point of contact for public concerns regarding *stormwater* management and compliance with this *SPDES general permit*. The name or title of this contact and the telephone number must be published in public outreach and public participation materials and kept updated with the *Department* on the MCC form;

d. **Annual report presentation.**
   Below are the requirements for the annual report presentation:

   i. prior to submitting the final annual report to the *Department*, by June 1 of each reporting year (see Part V.C.), present the draft annual report in a format that is open to the public, where the public can ask questions and make comments on the report. This can be done:
      - at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report. This may be a regular meeting of an existing board. It may also be a separate meeting, specifically for *stormwater*. If multiple *covered entities* are working together, they may have a group meeting (refer to Part V.C.2); or
      - on the internet by:
        - making the annual report available to the public on a website:
        - providing the public the opportunity to provide comments on the internet or otherwise; and

(Part VIII.A.2.d.i.)

- making available the opportunity for the public to request an open public meeting to ask questions about and make comments on the report;

ii. *traditional non-land use control MS4s* must comply with Part VIII.A.2.(d)(i) above. If they choose to present the draft annual report at a meeting, it may be presented at an existing meeting (e.g. a meeting of the Environmental Management Council , Water Quality Coordinating Committee, other agencies, or a meeting specifically for stormwater), or made available for review on the internet. The *covered entity* must make public the following information when noticing the presentation in accordance with *Open Meetings Law* or other local public notice requirements:
   - the placement of the annual report on the agenda of this meeting or location on the internet;
   - the opportunity for public comment. This *SPDES general permit* does not require a specified time frame for public comments, although it is recommended that *covered entities* provide the public an opportunity to comment for a period after the meeting. Comments received after the final annual report is submitted shall be reported with the following year's annual report. *Covered entities* must take into account those comments in the following year;
   - the date and time of the meeting or date annual report becomes available on the internet; and
   - the availability of the draft report for review prior to the public meeting or duration of availability of the annual report on the internet;

iii. *non-traditional MS4s* typically do not have regular meetings during which a presentation on the annual report can be made. Those *covered entities* may comply with this requirement by either:
   - noticing the availability of the report for public comment by posting a sign, posting on web site, or other methods with information about the availability and location where the public can view it and contact information for those that read the report to submit comments; or
   - following the internet presentation as explained in Part VIII.A.2(d)(i) above;

iv. the *Department* recommends that announcements be sent directly to individuals (public and private interested parties) known to have a specific interest in the covered entity's *SWMP*;

(Part VIII.A.2.d.)

v. include a summary of comments and intended responses with the final annual report. Changes made to the *SWMP* in response to comments should be described in the annual report; and

vi. ensure that a copy of the final report and, beginning in 2009, the SWMP plan are available for public inspection;

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

f. Select and implement appropriate public involvement / participation *activities* and *measurable goals* to ensure the reduction of all of the *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

g. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment;
   ii. comments received and intended responses (as an attachment); and
   iii. report on effectiveness of program, *BMP* and *measurable goal* assessment;

h. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. **program *development* deadlines and reporting**:
   Complete for Year 1, 2, and 3:
      - annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment; and
      - comments received and intended responses (as an attachment).

   ii. **program *implementation* reporting** as set forth in Part VIII.A.2.g above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

3. Illicit Discharge Detection and Elimination (IDDE) - SWMP Development / Implementation

At a minimum, all *covered entities* must:

(Part VIII.A.3.)

a. *Develop (for newly authorized MS4s)*, *implement* and enforce a program to detect and eliminate *illicit discharges* (as defined at 40CFR 122.26(b)(2)) into the *small MS4;*

b. *Develop (for newly authorized MS4s)* and maintain a map, at a minimum within the *covered entity's* jurisdiction in the *urbanized area and additionally designated area*, showing:

   i. the location of all *outfalls* and the names and location of all *surface waters of the State* that receive *discharges* from those *outfalls*;
   ii. by March 9, 2010, the preliminary boundaries of the *covered entity's storm sewersheds* determined using GIS or other tools, even if they extend outside of the *urbanized area* (to facilitate trackdown), and *additionally designated* area within the *covered entity's* jurisdiction; and
   iii. when grant funds are made available or for sewer lines surveyed during an illicit discharge trackdown, the *covered entity's* storm sewer system in accordance with available *State* and EPA guidance;

c. Field verify *outfall* locations;

d. Conduct an outfall reconnaissance inventory, as described in the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, addressing every *outfall* within the *urbanized area* and *additionally designated area* within the *covered entity's* jurisdiction at least once every five years, with reasonable progress each year;

e. Map new *outfalls* as they are constructed or discovered within the *urbanized area* or *additionally designated* area;

f. Prohibit *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions below, as applicable:

   i. for *traditional non-land use control MS4s*:
      - effectively prohibit, through a law, ordinance, or other regulatory mechanism, *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions; and
      - the law, ordinance, or other regulatory mechanism must be equivalent to the *State*'s model *IDDE* local law "NYSDEC Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems" developed by the *State*, as determined and certified to be equivalent by the attorney representing the *small MS4* ; and

(Part VIII.A.3.f.)

ii. for *non-traditional MS4s*:
- prohibit and enforce against *illicit discharges* through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
- procedures or policies must be developed for implementation and enforcement of the mechanisms;
- a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for the *covered entity's IDDE* program; and
- the mechanisms and directive must be equivalent to the *State*'s model illicit discharge local law;

g. *Develop (for newly authorized MS4s)* and *implement* a program to detect and address non-stormwater *discharges*, including illegal dumping, to the *small MS4* . The program must include: procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for IDDE program; description of priority areas of concern, available equipment, staff,
funding, etc.; procedures for identifying and locating *illicit discharges* (trackdown); procedures for eliminating *illicit discharges*; and procedures for documenting actions;

h. Inform the public of the hazards associated with illegal *discharges* and the improper disposal of waste;

i. Address the categories of non-stormwater *discharges* or flows listed in Part I.A.2 as necessary and maintain records of notification;

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

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

Required SWMP Reporting

l. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. number and percent of *outfalls* mapped;

(Part VIII.A.3.l.)

ii. number of *illicit discharges* detected and eliminated;
iii. percent of outfalls for which an outfall reconnaissance inventory has been performed. ;
iv. status of system mapping;
v. activities to and results from informing the public of hazards associated with illegal *discharges* and improper disposal of waste;
vi. for traditional non-land use control MS4s, regulatory mechanism status - certification that law is equivalent to the *State*'s model *IDDE* local law (if not already completed and submitted with a prior annual report); and
vii. report on effectiveness of program, *BMP* and *measurable goal* assessment.

m. Required reporting for **newly authorized *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Initiate by end of Year 1; complete by end of Year 3:
- regulatory mechanism development and adoption - by end of Year 3 certify that regulatory mechanism is equivalent to the *State's* model *IDDE* local law (traditional non-land use control MS4s) or certification of equivalence may be accomplished as set forth in Part VIII.A.3(f)(ii).

Complete in Year 1 (revise in Year 2 and 3 if changes are made):
- describe procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for IDDE program;
- describe priority areas of concern, available equipment, staff, funding, etc.;

Initiate by end of Year 1; complete by end of Year 2 (revise in Year 3 if changes are made):
- describe procedures for identifying and locating *illicit discharges* (trackdown);
- describe procedures for eliminating *illicit discharges*;
- describe procedures for enforcing against illicit dischargers;
- describe procedures for documenting actions;
- describe the program being developed for informing the public of hazards associated with illegal *discharges* and improper disposal of waste;

Initiate by end of Year 2; complete by end of Year 3:
- number and percent of *outfalls* mapped;

(Part VIII.A.3.m.i.)

Complete by Year 3:
- *outfall* map; and

ii. **program *implementatio*n reporting** as set forth in Part VIII.A.3(l) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

4. Construction Site Stormwater Runoff Control - **SWMP Development / Implementation**
At a minimum, all *covered entities* must:

a. *Develop (for newly authorized MS4s)*, *implement*, and enforce a program that:

i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities, unless more stringent requirements are contained within this *SPDES general permit*;

ii. 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;*

iii. incorporates mechanisms for construction runoff requirements from new development and redevelopment projects to the extent allowable under *State* and local law that meet the *State*'s most current technical standards:
- through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
- procedures or policies must be developed for implementation and enforcement of the mechanisms;
- a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for construction projects that occur on property owned, under easement to, within the

right-of-way of, or under the maintenance jurisdiction by the *covered entity* or within the maintenance jurisdiction of the MS4; and
- the mechanisms and directive must be equivalent to the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

iv. allows for sanctions to ensure compliance to the extent allowable by *State* law;

v. describes procedures for receipt and follow up on complaints or other information submitted by the public regarding construction site stormwater runoff;

vi. educates construction site operators, design engineers, *municipal* staff and other individuals to whom these regulations apply about the construction requirements in the *covered entity's* jurisdiction, including the procedures for submission of *SWPPPs*, construction site inspections, and other procedures associated with control of construction stormwater;

vii. Ensures that construction site contractors have received erosion and sediment control training, including the *trained contractors* as defined in the SPDES general permit for construction, before they do work within the *covered entity's* jurisdiction:
- training may be provided by the *Department* or other qualified entities (such as Soil and Water Conservation Districts);
- the *covered entity* is not expected to perform such training, but they may co-sponsor training for construction site operators in their area;
- the *covered entity* may ask for a certificate of completion or other such proof of training; and
- the *covered entity* may provide notice of upcoming sediment and erosion control training by posting in the building department or distribute with building permit application.

viii. establishes and maintains an inventory of active construction sites, including the location of the site, owner / operator contact information;

ix. develop *(for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and

(Part VIII.A.4.a.)

x. select and implement appropriate construction stormwater *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

b. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. number and type of sanctions employed;
   ii. status of regulatory mechanism - certify that mechanisms will assure compliance with the NYS SPDES General Permit for Stormwater Discharges from Construction Activities;
   iii. number of construction sites authorized for disturbances of one acre or more; and
   iv. report on effectiveness of program, *BMP* and *measurable goal* assessment.

c. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. **Program *development* deadlines and reporting**:
   Initiate by end of Year 1:
   - procedures, activities and identify personnel to educate and train construction site operators about requirements to develop and implement a SWPPP and any other requirements that must be met within the MS4's jurisdiction;

   Initiate by the end of Year 1; complete by the end of Year 3:
   - status of mechanism for construction runoff requirements - by end of Year 3 certify that mechanisms will assure compliance with the NYS SPDES General Permit for Stormwater Discharges from Construction Activities; and

   Complete in Year 1 (revise in Year 2 and 3 if changes are made):
   - describe procedures for the receipt and consideration of information submitted by the public. Identify the responsible personnel.

   ii. Program implementation reporting as set forth in Part VIII.A.4(b) above. Commence *implementation* reporting after three year development period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

(Part VIII.A.)

5. **Post-Construction Stormwater Management SWMP Development / Implementation**
   At a minimum, all *covered entities* must:
   a. *Develop (for newly authorized MS4s)*, *implement*, and enforce a program that:
      i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities, unless more stringent requirements are contained within this *SPDES general permit*;

      ii. addresses *stormwater* runoff from new 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 projects of less than one acre must be included in the program if:
         - that project is part of a *larger common plan of development or sale*;
         - if controlling such activities in a particular watershed is required by the *Department*;

      iii. incorporates enforceable mechanisms for post-construction runoff control from new development and re-development projects to the extent allowable under *State* or local law that meet the *State*'s most current technical standards:
         - through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
         - procedures or policies must be developed for implementation and enforcement of the mechanisms;
         - a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for construction projects that occur on property owned by the *covered entity* or within the maintenance jurisdiction of the MS4; and
         - the mechanisms and directive must assure compliance with the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities;

      iv. 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. In the development of environmental plans such as watershed plans, open space preservation programs, local laws, and ordinances covered entities must incorporate principles of *Low Impact Development* (LID), *Better Site Design* (BSD) and other *Green Infrastructure* practices to the MEP.

(Part VIII.A.5.a.iv.)

Covered entities must consider natural resource protection, impervious area reduction, maintaining natural hydrologic condition in developments, buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils in the development of environmental plans.

- if a *stormwater* management practice is designed and installed in accordance with the New York State Stormwater Management Design Manual or has been demonstrated to be equivalent and is properly operated and maintained, then *MEP* will be assumed to be met for the post construction *stormwater* discharged by the practice;

v. establish and maintain an inventory of post-construction stormwater management practices to include at a minimum practices discharging to the *small MS4* that have been installed since March 10, 2003, those owned by the small MS4, and those found to cause water quality standard violations.
   - the inventory shall include, at a minimum: location of practice (street address or coordinates); type of practice; maintenance needed per the NYS Stormwater Management Design Manual, *SWPPP*, or other provided documentation; and dates and type of maintenance performed; and

vi. ensures adequate long-term operation and maintenance of management practices by trained staff, including assessment to ensure that the practices are performing properly.
   - The assessment shall include the inspection items identified in the maintenance requirements (NYS Stormwater Management Design Manual, *SWPPP*, or other maintenance information) for the practice. *Covered entities* are not required to collect *stormwater* samples and perform specific chemical analysis;

vii. Covered entities may include in the SWMP Plan provisions for development of a banking and credit system. MS4s must have an existing watershed plan based on which offsite alternative stormwater management in lieu of or in addition to on-site stormwater management practices are evaluated. Redevelopment projects must be evaluated for pollutant reduction greater than required treatment by the state standards. The individual project must be reviewed and approved by the *Department*. Use of a banking and credit system for new development is only acceptable in the impaired watersheds to achieve the no net increase requirement and watershed improvement strategy areas to achieve pollutant reductions in accordance with watershed plan load reduction goals. A banking and credit system must at minimum include:

(Part VIII.A.5.a.vii.)

- Ensures offset exceeds standard reduction by factor of at least 2
- Offset is implemented within the same watershed
- Proposed offset addresses the POC of the watershed
- Tracking system is established for the watershed
- Mitigation is applied for retrofit or redevelopment
- Offset project is completed prior to beginning the proposed construction
- A legal mechanism is established to implement the banking and credit system

b. *Develop (for newly authorized MS4s)*, *implement*, and provide adequate resources for a program to inspect development and re-development sites by trained staff and to enforce and employ sanctions;

c. *Develop (for newly authorized MS4s)*, record, annually assess and modify as needed *measurable goals*; and

d. Select and implement appropriate post-construction *stormwater BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

e. Program *implementation* reporting for continuing *covered entities* (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. number and type of sanctions;
ii. number and type of post-construction stormwater management practices;
iii. number and type of post-construction stormwater management practices inspected;
iv. number and type of post-construction stormwater management practices maintained;
v. status of regulatory mechanism, equivalent mechanism, that regulatory mechanism is equivalent; and
vi. report on effectiveness of program, *BMP* and *measurable goal* assessment, and implementation of a banking and credit system, if applicable.

f. Program reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

(Part VIII.A.5.f.)

i. **program *development* deadlines and reporting**:

Initiate by end of Year 1; complete by end of Year 3:

- mechanism of post-construction stormwater management - by end of Year 3 certify that mechanisms will assure compliance with the NYS Construction General Permit (GP-0-15-002);

Initiate by end of Year 2; complete by end of Year 3:

- procedures for inspection and maintenance of post-construction management practices; and
- procedures for enforcement and penalization of violators;

ii. **program *implementation* reporting** as set forth in Part VIII.A.5(e). Commence *implementation* reporting after three year development period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

6. Pollution Prevention/Good Housekeeping For Municipal Operations

SWMP Development / Implementation

At a minimum, all *covered entities* must:

a. *Develop (for newly authorized MS4s)* and *implement* a pollution prevention / good housekeeping program for *municipal* operations and facilities that:

i. addresses *municipal* operations and facilities that contribute or potentially contribute *POCs* to the *small MS4* system. The operations and facilities may include, but are not limited to: street and bridge maintenance; winter road maintenance; stormwater system maintenance; vehicle and fleet maintenance; park and open space maintenance; municipal building maintenance; solid waste management; new construction and land disturbances; right-of-way maintenance; marine operations; hydrologic habitat modification, or other;

ii. includes the performance and documentation of a self assessment of all municipal operations to:
   - determine the sources of pollutants potentially generated by the *covered entity*'s operations and facilities; and
   - identify the *municipal* operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it is not done already;

iii. determines *management practices*, policies, procedures, etc. that will be *developed* and *implemented* to reduce or prevent the discharge of (potential)

(Part VIII.A.6.a.iii.)

pollutants. Refer to *management practices* identified in the "NYS Pollution Prevention and Good Housekeeping Assistance Document" or other guidance materials available from the EPA, the *State,* or other organizations;

iv. prioritizes pollution prevention and good housekeeping efforts based on geographic area, potential to improve water quality, facilities or operations most in need of modification or improvement, and *covered entity*'s capabilities;

v. addresses pollution prevention and good housekeeping priorities;

vi. includes an employee pollution prevention and good housekeeping training program and ensure that staff receive and utilize training;

vii. requires third party entities performing contracted services, including but not limited to, street sweeping, snow removal, lawn / grounds care, etc., to make the necessary certification in Part IV.G; and

viii. requires *municipal* operations and facilities that would otherwise be subject to the NYS Multisector General Permit (MSGP, GP-0-12-001) for industrial stormwater discharges to prepare and *implement* provisions in the SWMP that comply with Parts III. A, C, D, J, K and L of the MSGP. The covered entity must also perform monitoring and record keeping in accordance with Part IV. of the MSGP. Discharge monitoring reports must be attached to MS4 annual report. Those operations or facilities are not required to gain coverage under the MSGP. *Implementation* the above noted provisions of the SWMP will ensure that MEP is met for discharges from those facilities;

b. Consider and incorporate cost effective runoff reduction techniques and green infrastructure in the routine upgrade of the existing stormwater conveyance systems and municipal properties to the MEP. Some examples include replacement of closed drainage with grass swales, replacement of the existing islands in parking lots with rain garden, or curb cuts to route the flow through below grade infiltration areas or other low cost improvements that provide runoff treatment or reduction.

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

(Part VIII.A.6.)

d. Select and implement appropriate pollution prevention and good housekeeping *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

e. Adopt techniques to reduce the use of fertilizers, pesticides, and herbicides, as well as potential impact to surface water.

Required SWMP Reporting

f. **Program *implementation* reporting** for **continuing *covered entities*** (MS4s covered for 3 or more years on the *reporting date*). *Covered entities* are required to report on all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally designated area*) that their program is addressing. The *covered entity* shall report at a minimum on the items below:

   i. indicate the *municipal* operations and facilities that the pollution prevention and good housekeeping program assessed;
   ii. describe, if not done so already, the management practices, policies and procedures that have been developed, modified, and / or implemented and report, at a minimum, on the items below that the *covered entity's* pollution prevention and good housekeeping program addresses during the reporting year:

      – acres of parking lot swept;
      – miles of street swept;
      – number of catch basins inspected and, where necessary, cleaned;
      – post-construction control stormwater management practices inspected and, where necessary, cleaned;
      – pounds of phosphorus applied in chemical fertilizer
      – pounds of nitrogen applied in chemical fertilizer; and
      – acres of pesticides / herbicides applied.

   iii. staff training events and number of staff trained; and
   iv. report on effectiveness of program, *BMP* and *measurable goal* assessment. If the pollution prevention and good housekeeping program addresses other operations than what is listed above in Part VIII.A.6.a(ii), the *covered entity* shall report on items that will demonstrate program effectiveness.

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). *Covered entities* are required to report on all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally*

(Part VIII.A.6.g.)

designated area) that their program is addressing. The *covered entity* shall report at a minimum on the items below:

i. **program *development* deadlines and reporting**:

Complete by end of Year 1:

- identify the municipal operations and facilities that will be considered for inclusion in the pollution prevention and good housekeeping program;
- describe the pollution prevention and good housekeeping program priorities (geographic area, potential to improve water quality; facilities or operations most in need of modification or improvement);
- describe management practices, policies, procedures, etc. that will be developed or modified;
- identify the staff and equipment available;

Initiate by Year 2; complete Year 3:

- describe employee pollution prevention and good housekeeping program training program and begin training, report on number of staff trained;

Complete by end of Year 3:

- description of developed management practices.

ii. **program *implementation* reporting** as set forth in Part VIII.A.6(d) above. Commence *implementation* reporting after three year *development* permit. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

Part IX. WATERSHED IMPROVEMENT STRATEGY REQUIREMENTS

The covered entities in the watershed improvement strategy areas must develop or modify their SWMP to address the watershed specific additional requirements to achieve the pollutant load reduction by the deadline as defined in the Tables in Part IX of this general SPDES permit. The Pollutant Load Reductions are the reductions necessary from the discharge loads associated with MS4s that, when combined with reductions in the discharge loads from non-MS4s to the waterbody, will meet water quality standards. The calculated reductions are based on TMDL models and may be recalculated according to 40CFR Part 130.

The MS4 portion of the pollutant load reduction shall be achieved by implementation of BMPs required of all MS4s, reductions from implementation of additional BMPS for watershed improvement strategy areas including any retrofits required by this permit. These reductions are intended to be targeted and credited using models, loading factors and load reductions predicted based on the best scientific information available.

The Pollutant Load Reduction Deadlines are deadlines by which the MS4 portion of the pollutant load reduction must be met. Watershed Improvement Strategy Deadlines are the deadlines by which the watershed improvement strategy requirements for addressing the POC are to be completed and implemented. Retrofit Plan Submission Deadlines are the deadlines by which the retrofit plan component of the watershed improvement strategies are submitted to the *Department* for review and approval.

Ultimately, the effectiveness of the load reductions in meeting water quality standards will be verified by ambient monitoring of the affected waterbody. Where ambient monitoring demonstrates consistent compliance with water quality standards, the covered entity may request that the *Department* suspend the additional BMP requirements to install stormwater retrofits.

(Part IX.)

A. New York City East of Hudson Watershed MS4s - (Mapped in Appendix 3)

Table IX.A - Pollutant Load Reduction and Timetable for New York City East of Hudson Phosphorus Watershed Improvement Strategy Area

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Load Allocation)	Pollutant Load Reduction Deadline
New York City East of Hudson Watershed	05/01/2011	03/09/ 2009 (single) and 12/ 31/2009 (RSE)	In accordance with the TMDL Implementation Plan	03/09/2019 (single) 12/31/2019 (RSE)

By the deadline defined in the Table IX. A, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within their jurisdiction and their storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of phosphorus (the *POC*) on waterbodies. The program must identify potential sources of phosphorus in *stormwater* runoff and describe steps that contributors can take to reduce the concentration of this *POC* in *stormwater* runoff. The program must also describe steps that contributors of non-*stormwater* discharges (Part I.A.2) can take to reduce phosphorus.

b. Develop, or acquire if currently available, specific educational material dealing with sources of phosphorus in *stormwater* and pollutant reduction practices. At a minimum, the educational material should address the following topics:

i. understanding the phosphorus issue;

ii. septic systems as a source of phosphorus;

iii. phosphorus concerns with fertilizer use;

iv. phosphorus concerns with grass clippings and leaves entering streets and storm sewers;

v. construction sites as a source of phosphorus; and

(Part IX.A.1.b.)

vi. phosphorus concerns with detergent use.

2. Public Involvement/ Participation

No additional requirements proposed for this permit term.

3. Illicit Discharge Detection and Elimination

a. Mapping - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

Develop and maintain a map showing the entire *small MS4* conveyance system. The *covered entity* shall complete the mapping of approximately 20% of the system every year, with the entire system being mapped by January 8, 2013.

At a minimum, the map and/or supportive documentation for the conveyance system should include the following information:

i. type of conveyance system - closed pipe or open drainage;

ii. for closed pipe systems - pipe material, shape, and size;

iii. for open drainage systems - channel/ditch lining material, shape, and dimensions; location and dimensions of any culvert crossings;

iv. drop inlet, catch basin, and manhole locations; and

v. number and size of connections (inlets/outlets) to catch basins and manholes, direction of flow.

All information shall be prepared in digital format suitable for use in GIS software and in accordance with the *Department's* guidance on Illicit Discharge Detection and Elimination. The scale shall be 1:24,000 or better.

b. On-site wastewater systems - applicable to *traditional land use control* and *traditional non-land use control MS4s*.

- *Develop*, *implement* and enforce a program that ensures that on-site sanitary systems designed for less than 1000 gallons per day (septic systems, cesspools, including any installed absorption fields) are inspected at a minimum frequency of once every five years and, where necessary, maintained or rehabilitated. Regular field investigations/inspections should be done in accordance with the most current

version of the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, to detect the presence of ongoing and/or intermittent on-site sanitary discharges to the storm sewer system. An advanced system inspection requiring completion by a certified professional is not required by this permit, but may be used where site specific conditions warrant. Program development shall include the establishment of the necessary legal authority to implement the program.

4. Construction Site Stormwater Runoff Control- applicable to *traditional land use control MS4s*.

a. *Develop*, *implement* and enforce a program to reduce pollutants in *stormwater* runoff to the *small MS4* from construction activities that result in a land disturbance of greater than or equal to five thousand (5000) square feet. At a minimum, the program must provide equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity and must include the development and implementation of:

   i. by December 31, 2009, an ordinance or other regulatory mechanism that requires erosion and sediment controls designed in accordance with the most current version of the technical standard New York State Standards and Specifications for Erosion and Sediment Control for all construction activities that disturb between five thousand (5000) square feet and one acre of land. For construction activities that disturb between five thousand (5000) square feet and one (1) acre of land, one of the standard erosion and sediment control plans included in Appendix E (Erosion & Sediment Control Plan For Small Homesite Construction) of the New York Standards and Specifications for Erosion and Sediment Control may be used as the Stormwater Pollution Prevention Plan (SWPPP);

   ii. policy and procedures for the *covered entity* to perform, or cause to be performed, compliance inspections at all sites with a disturbance of one (1) or more acres. By December 31, 2009, the *covered entity* shall have started performing, or cause to be performed, compliance inspections at all sites with a disturbance between five thousand (5000) square feet and one (1) acre of land;

5. Post-Construction Stormwater Management

a. Construction stormwater program - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

(Part IX.A.5.a.)

Develop, *implement* and enforce a program to address post-construction *stormwater* runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre. This includes projects of less than one acre that are part of a larger common plan of development or sale. At a minimum, the program must provide equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity and must include the *development* and *implementation* of:

i. a law or other mechanism that requires post-construction stormwater management controls designed in accordance with the most current version of the technical standards the New York State Stormwater Management Design Manual including the Enhanced Phosphorus Removal Design Standards. An MS4 must ensure that their ordinance or other mechanism requires post-construction stormwater management controls to be designed in accordance with the final version of the Enhanced Phosphorus Removal Design Standards by September 30, 2008.

b. Retrofit program - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

Develop and commence implementation of a Retrofit Program that addresses runoff from sites to correct or reduce existing erosion and/or pollutant loading problems, with a particular emphasis placed on the pollutant phosphorus. At a minimum, the MS4 shall:

i. establish procedures to identify sites with erosion and/or pollutant loading problems;

ii. establish policy and procedures for project selection. Project selection should be based on the phosphorus reduction potential of the specific retrofit being constructed/installed; the ability to use standard, proven technologies; and the economic feasibility of constructing/installing the retrofit. As part of the project selection process, the *covered entity* should participate in locally based watershed planning efforts which involve the *Department*, other *covered entities*, stakeholders and other interested parties;

iii. establish policy and procedures for project permitting, design, funding, construction and maintenance.

(Part IX.A.5.b.)

iv. for covered entities that develop their own retrofit program, by March 9, 2009 develop and submit approvable plans with schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those schedules, the plans and schedules shall become enforceable requirements of this permit.

v. pursuant to Part IV. B (Cooperation Between Covered entities Encouraged), retrofit projects can be completed in cooperation with other covered entities in the East of Hudson Watershed through the formation of a cooperative entity with other MS4s. Participating MS4s shall work with the Department and other members of the cooperative entity in implementing the requirements of i, ii and iii above. In addition, each covered entity that becomes a member of the cooperative entity shall work closely with the Department and other members of the cooperative entity to, by December 31, 2009, develop and submit approvable plans and schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those plans and schedules, the plans and schedules shall become enforceable requirements of this permit.

6. Pollution Prevention/Good Housekeeping For Municipal Operations- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. By December 31, 2009, develop and implement a Stormwater Conveyance System inspection and maintenance program. At a minimum, the program shall include the following:

i. policy and procedures for the inspection and maintenance of catch basin and manhole sumps. Catch basin and manhole sumps should be inspected in the early spring and late fall for sediment and debris build-up. If sediment and debris fills greater than 50% of the sump volume, the sump should be cleaned. All sediment and debris removed from the catch basins and manholes shall be properly disposed of;

ii. policy and procedures for the inspection, maintenance and repair of conveyance system *outfalls*. Beginning June 30, 2008, the MS4 must inspect 20% of their *outfalls* each year and make repairs as necessary. All outfall protection and/or bank stability problems identified during the inspection shall be corrected in accordance with the New York Standards and Specifications for Erosion and Sediment Control;

(Part IX.A.6.a.)

iii. policy and procedures for the inspection, maintenance and repair of a *covered entity's* stormwater management practices. The inspection and maintenance schedule for all stormwater management practices shall assure continued operation of stormwater management practices; and

iv. develop a Corrective Action Plan for each Stormwater Conveyance System component that has been identified as needing repair. A file of all corrective actions implemented and *illicit discharges* detected and repaired should be maintained for a period of not less than five years.

b. By December 31, 2010, develop and implement a turf management practices and procedures policy. The policy shall address the following:

i. procedures for proper fertilizer application on municipally-owned lands. The application of any phosphorus-containing fertilizer (as labeled) shall only be allowed following a proper soil test and analysis documenting that soil phosphorus concentrations are inadequate;

ii. procedures for the proper disposal of grass clippings from municipally-owned lawns where grass clipping collection equipment is used. Grass clippings shall be disposed of in a compost pile or a proper containment device so that they cannot enter the *small MS4* or surface waters;

iii. procedures for the proper disposal of leaves from municipally-owned lands where leaves are collected. Leaves shall be disposed of in a compost pile or a proper containment device so that they cannot enter *small MS4s* or surface waters;

iv. for municipalities with lawn waste collection programs, the development of a curbside lawn waste management policy which ensures that lawn waste does not decay and release phosphorus to the storm sewer system; and

v. the planting of wildflowers and other native plant material to lessen the frequency of mowing and the use of chemicals to control vegetation.

(Part IX.)

B. Other Phosphorus Watershed MS4s (Mapped in Appendices 4, 5, and 10)

Table IX.B - Pollutant Load Reduction and Timetable for Other Phosphorus Watershed Improvement Strategy Areas

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Waste Load Allocation %*)	Pollutant Load Reduction Deadline
Greenwood Lake	05/01/2011	03/09/2011	43* (load allocation)	03/09/2011
Onondaga Lake	TMDL approval + 3 years	TMDL approval + 3 years	TBD	TMDL approval + 13 years
Oscawana Lake	05/01/2013	Not Applicable	18	2020

By the deadline defined in the Table IX.B, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within the permittee's jurisdiction and the covered entities's storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use* control, *traditional non-land use control* and *non-traditional MS4s*.

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of phosphorus (the POC) on waterbodies. The program must identify potential sources of Phosphorus in stormwater runoff and describe steps that contributors can take to reduce Phosphorus in stormwater runoff.

b. develop, or acquire if currently available, specific educational material dealing with sources of Phosphorus in stormwater and pollutant reduction practices. At a minimum, the educational material should address the following topics:
   i. understanding the phosphorus issue;
   ii. septic systems as a source of phosphorus; and
   iii. phosphorus concerns with fertilizer use.

2. Public Involvement/ Participation

No additional requirements proposed for at this time.

3. Illicit Discharge Detection and Elimination applicable to *traditional land use control* and *traditional non-land use control* MS4s, except within the Onondaga Lake Watershed.

a. *Develop*, *implement* and enforce a program that ensures that on-site sanitary systems designed for less than 1000 gallons per day (septic systems, cesspools, including any installed absorption fields) are inspected at a minimum frequency of once every five

years and, where necessary, maintained or rehabilitated. Conduct of regular field investigations/inspections should be done in accordance with the most current version of the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, to detect the presence of ongoing and/or intermittent on-site sanitary discharges to the storm sewer system. An advanced system inspection requiring completion by a certified professional is not required by this permit, but may be used where site specific conditions warrant. Program development shall include the establishment of the necessary legal authority to implement the program.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management, - applicable to *traditional land use*, *traditional non-land use control* and *non-traditional MS4s*.

a. The *covered entity* must require the use of the "Enhanced Phosphorus Removal Design Standards"in accordance with NYS Stormwater Design Manual;

b. *Develop* and commence implementation of a Retrofit Program that addresses runoff from sites to correct or reduce existing erosion and/or pollutant loading problems, with a particular emphasis placed on the pollutant Phosphorus. At a minimum, the MS4 shall:

   i. establish procedures to identify sites with erosion and/or pollutant loading problems;

   ii. establish policy and procedures for project selection. Project selection should be based on the Phosphorus reduction potential of the specific retrofit being constructed/installed; the ability to use standard, proven technologies; and the economic feasibility of constructing/installing the retrofit. As part of the project selection process, the *covered entity* should participate in locally based watershed planning efforts which involve the *Department*, other *covered entities*, stakeholders and other interested parties;

   iii. establish policy and procedures for project permitting, design, funding, construction and maintenance

(Part IX.B.5.)

iv. by the date specified for each watershed in the appropriate Watershed Improvement Strategy Requirement Table develop and submit approvable plans and schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those plans and schedules, the plans and schedules shall become enforceable requirements of this permit.

6. Pollution Prevention/Good Housekeeping For Municipal Operations applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Develop a turf management practices and procedures policy. The policy should address the following:

i. procedures for proper fertilizer application on municipally-owned lands. The application of any phosphorus-containing fertilizer (as labeled) shall only be allowed following a proper soil test and analysis documenting that soil phosphorus concentrations are inadequate; and

ii. the planting of native plant material to lessen the frequency of mowing and the use of chemicals to control vegetation.

(Part IX.)

C. Pathogen Impaired Watershed MS4s (Mapped in Appendix 6, 7 and 9)

Table IX.C - Pollutant Load Reduction and Timetable for Pathogen Impaired Watershed Improvement Strategy Areas

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Waste Load Allocation %)	Pollutant Load Reduction Deadline
Budds Pond*	05/01/2013	09/30/2012	61	09/30/2022
Stirling Creek*	05/01/2013	09/30/2012	28	09/30/2022
Town & Jockey Creeks*	05/01/2013	09/30/2012	76	09/30/2022
Goose Creek*	05/01/2013	09/30/2012	70	09/30/2022
Hashamomuck Pond, Zone HP-1*	05/01/2013	09/30/2012	77	09/30/2022
Hashamomuck Pond , Zone HP-2*	05/01/2013	09/30/2012	43	09/30/2022
Richmond Creek*	05/01/2013	09/30/2012	71	09/30/2022
Deep Hole Creek*	05/01/2013	09/30/2012	29	09/30/2022
James Creek*	05/01/2013	09/30/2012	51	09/30/2022
Flanders Bay	05/01/2011	03/09/2011	98	03/09/2021
Reeves Bay	05/01/2011	03/09/2011	97	03/09/2021
Sebonac Creek	05/01/2011	03/09/2011	58	03/09/2021
North Sea Harbor, Zone NSH-1	05/01/2011	03/09/2011	97	03/09/2021
North Sea Harbor, Zone NSH-2	05/01/2011	03/09/2011	62	03/09/2021
North Sea Harbor, Zone NSH-3	05/01/2011	03/09/2011	99	03/09/2021
North Sea Harbor, Zone NSH-5	05/01/2011	03/09/2011	74	03/09/2021
Wooley Pond	05/01/2011	03/09/2011	97	03/09/2021
Noyac Creek, Zone NC-1	05/01/2011	03/09/2011	64	03/09/2021
Sag Harbor, Zone SH-2*	05/01/2013	09/30/2012	50	09/30/2022
Northwest Creek*	05/01/2013	09/30/2012	76	09/30/2022
Acabonac Harbor, Zone AH-2*	05/01/2013	09/30/2012	42	09/30/2022
Acabonac Harbor, Zone AH-3*	05/01/2013	09/30/2012	85	09/30/2022
Acabonac Harbor, Zone AH-4*	05/01/2013	09/30/2012	81	09/30/2022
Acabonac Harbor, Zone AH-5*	05/01/2013	09/30/2012	87	09/30/2022
Montauk Lake, Zone LM-1*	05/01/2013	09/30/2012	52	09/30/2022
Montauk Lake, Zone LM-2*	05/01/2013	09/30/2012	52	09/30/2022
Montauk Lake, Zone LM-3*	05/01/2013	09/30/2012	48	09/30/2022
Little Sebonac Creek	05/01/2011	03/09/2011	70	03/09/2021
Oyster Bay (Harbor 2)	05/01/2011	03/09/2011	20	03/09/2021
Oyster Bay (Harbor 3)	05/01/2011	03/09/2011	90	03/09/2021

*Additionally Designated Area

Watershed	Enhanced Plan Implementation Deadline	First Retrofit Plan Submission Deadline	Pollutant Reduction (Waste Load Allocation %)	Pollutant Load Reduction Deadline
Hempstead Harbor, north, and tidal tributaries	05/01/2013	09/30/2012	95	09/30/2022
Cold Spring Harbor, and tidal tributaries, Inner	05/01/2013	09/30/2012	95	09/30/2022
Cold Spring Harbor, Eel Creek	05/01/2013	09/30/2012	90	09/30/2022
Huntington Harbor	05/01/2013	09/30/2012	89	09/30/2022
Centerport Harbor	05/01/2013	09/30/2012	91	09/30/2022
Northport Harbor	05/01/2013	09/30/2012	92	09/30/2022
Stony Brook Harbor and West Meadow Creek, Inner	05/01/2013	09/30/2012	99	09/30/2022
Stony Brook Creek	05/01/2013	09/30/2012	99	09/30/2022
Stony Brook Yacht Club	05/01/2013	09/30/2012	48	09/30/2022
Stony Brook Harbor, Westmeadow Creek	05/01/2013	09/30/2012	99	09/30/2022
Setaukut Harbor, Little Bay	05/01/2013	09/30/2012	84	09/30/2022
Setauket Harbor, East Setauket	05/01/2013	09/30/2012	79	09/30/2022
Setauket Harbor, Poquot	05/01/2013	09/30/2012	100	09/30/2022
Mt. Sinai Harbor, Crystal Brook	05/01/2013	09/30/2012	88	09/30/2022
Mt. Sinai Harbor, Inner Harbor	05/01/2013	09/30/2012	96	09/30/2022
Mt. Sinai Harbor, Pipe Stave Hollow	05/01/2013	09/30/2012	93	09/30/2022
Mattituck Inlet/Creek, Low, and tidal tributaries	05/01/2013	09/30/2012	64	09/30/2022
Goldsmith Inlet	05/01/2013	09/30/2012	91	09/30/2022
West Harbor, Fishers Island, Davloy Cove	05/01/2013	09/30/2012	41	09/30/2022
Georgica Pond, Upper	05/01/2013	09/30/2012	93	09/30/2022

Georgica Pond, Lower	05/01/2013	09/30/2012	93	09/30/2022
Georgica Pond Cove	05/01/2013	09/30/2012	92	09/30/2022
Sagaponack Pond	05/01/2013	09/30/2012	88	09/30/2022
Mecox Bay and tributaries	05/01/2013	09/30/2012	89	09/30/2022
Heady Creek and tributaries	05/01/2013	09/30/2012	88	09/30/2022
Taylor Creek and tributaries	05/01/2013	09/30/2012	52	09/30/2022
Penny Pond	05/01/2013	09/30/2012	31	09/30/2022
Weesuck Creek and tidal tributaries	05/01/2013	09/30/2012	37	09/30/2022
Penniman Creek and tidal tributaries	05/01/2013	09/30/2012	32	09/30/2022
Ogden Pond	05/01/2013	09/30/2012	28	09/30/2022
Quantuck Bay	05/01/2013	09/30/2012	91	09/30/2022
Quantuck Canal/Moneybogue Bay	05/01/2013	09/30/2012	62	09/30/2022
Seatuck Cove	05/01/2013	09/30/2012	94	09/30/2022
Harts Cove	05/01/2013	09/30/2012	12	09/30/2022
Narrow Bay	05/01/2013	09/30/2012	16	09/30/2022
Bellport Bay, Beaver Dam Creek	05/01/2013	09/30/2012	94	09/30/2022
Bellport Bay, West Cove	05/01/2013	09/30/2012	94	09/30/2022
Patchogue Bay, Swan River	05/01/2013	09/30/2012	90	09/30/2022
Patchogue Bay, Mud Creek	05/01/2013	09/30/2012	71	09/30/2022

By the deadline defined in the Table IX.C, *covered entities* in these watersheds shall, in addition to the requirements in Part VII. or VIII., depending on the type of the MS4, develop and implement the following MCMs for areas within the *covered entity*'s jurisdiction and the covered entities's storm sewersheds:

(Part IX.C.)

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of Pathogens (the *POC*) on waterbodies. The program must identify potential sources of Pathogens in *stormwater* runoff and describe steps that contributors can take to reduce the Pathogens in *stormwater* runoff. The program must also describe steps that contributors of non-*stormwater discharges* can take to reduce Pathogens.

b. *Develop*, or acquire if currently available, specific educational material dealing with sources of Pathogens in *stormwater* and pollutant reduction practices. At a minimum, the educational material should address the following topics:

i. where, why, and how Pathogens pose threats to the environment and to the community;

ii. septic systems, geese and pets as a source of pathogens;

iii. dissemination of educational materials / surveys to households/businesses in proximity to Pathogen *TMDL* waterbodies; and

iv. education for livestock / horse boarders regarding manure *BMP*s.

2. Public Involvement / Participation

No additional requirements proposed at this time.

3. Illicit Discharge Detection and Elimination, **SWMP Development / Implementation**- Mapping applicable to *traditional land use* control and *traditional non-land use control MS4s*.

a. Develop, implement, and enforce a program to detect and eliminate discharges to the municipal separate storm sewer system from on-site sanitary systems in areas where factors such as shallow groundwater, low infiltrative soils, historical on-site sanitary system failures, or proximity to pathogen-impaired waterbodies, indicate a reasonable likelihood of system discharge.

In such areas, ensure that on-site sanitary systems designed for less than 1000 gallons per day (septic systems, cesspools, including any installed absorption fields) are inspected at a minimum frequency of once every five years and, where necessary, maintained or rehabilitated. Conduct regular field investigations/inspections in accordance with the most current version of the EPA publication entitled Illicit Discharge

(Part IX.C.3.a.)

Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, to detect the presence of ongoing and/or intermittent on-site sanitary discharges to the storm sewer system. An advanced system inspection requiring completion by a certified professional is not required by this permit, but may be used where site specific conditions warrant.

On-site sanitary system IDDE program development shall include the establishment of the necessary legal authority (such as new or revised local laws) for implementation and enforcement.

b. Develop and maintain a map showing the entire *small MS4* conveyance system. The *covered entity* shall complete the mapping of approximately 20% of the system every year, with the entire system being mapped by May 1, 2015. At a minimum, the map and/or supportive documentation for the conveyance system shall include the following information:

i. type of conveyance system - closed pipe or open drainage;
ii. for closed pipe systems - pipe material, shape, and size;
iii. for open drainage systems - channel/ditch lining material, shape, and dimensions; location and dimensions of any culvert crossings;
iv. drop inlet, catch basin, and manhole locations; and
v. number and size of connections (inlets/outlets) to catch basins and manholes, direction of flow.

All information shall be prepared in digital format suitable for use in GIS software and in accordance with the *Department's* guidance on Illicit Discharge Detection and Elimination. The scale shall be 1:24000 or better.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

Develop and commence implementation of a Retrofit Program that addresses runoff from sites to correct or reduce pollutant loading problems, with a particular emphasis placed on the pollutant Pathogens. At a minimum, the MS4 shall:

a. establish procedures to identify sites with erosion and/or pollutant loading problems;

(Part IX.C.5.)

b. establish policy and procedures for project selection. Project selection should be based on the Pathogen reduction potential of the specific retrofit being constructed/installed; the ability to use standard, proven technologies; and the economic feasibility of constructing/installing the retrofit. As part of the project selection process, the *covered entity* should participate in locally based watershed planning efforts which involve the *Department*, other *covered entities*, stakeholders and other interested parties;

c. establish policy and procedures for project permitting, design, funding, construction and maintenance

d. by March 9, 2011, develop and submit approvable plans and schedules for completing retrofit projects. Upon DEC approval of those plans and schedules and identification of funding sources, the plans and schedules shall become enforceable requirements of this permit.

6. Pollution Prevention/Good Housekeeping For Municipal Operations, - applicable to *traditional land use control* and traditional non-land use control MS4s.

a. *Develop*, enact and enforce a local law prohibiting pet waste on municipal properties and prohibiting goose feeding.

b. *Develop* and *implement* a pet waste bag program for collection and proper disposal of pet waste.

c. *Develop* a program to manage goose populations.

(Part IX.)

D. Nitrogen Watershed MS4s (Mapped in Appendix 8)

Table IX.D - Pollutant Load Reduction and Timetable for Nitrogen Watershed Improvement Strategy Area

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Reduction (Load Allocation %)	Pollutant Load Reduction Deadline
Peconic Bay	05/01/2011	03/09/2011	15	03/09/2021

By the deadline defined in the Table IX.D, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within the covered entity's jurisdiction and the covered entities' storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of Nitrogen (the POC) on waterbodies. The program must identify potential sources of Nitrogen in stormwater runoff and describe steps that contributors can take to reduce the Nitrogen in stormwater runoff.

b. develop, or acquire if currently available, specific educational material dealing with sources of Nitrogen in stormwater and pollutant reduction practices. At a minimum, the educational material should address the following topics:

i. understanding the Nitrogen issue;
ii. septic systems as a source of Nitrogen; and
iii. Nitrogen concerns with fertilizer use.

2. Public Involvement/ Participation

No additional requirements proposed for at this time.

3. Illicit Discharge Detection and Elimination - applicable to *traditional land use control* and *traditional non-land use control MS4s*

(Part IX.D.3.)

a. Develop and maintain a map showing the entire small MS4 conveyance system. The covered entity shall complete the mapping of approximately 20% of the system every year, with the entire system being mapped by May 1, 2015. At a minimum, the map and/or supportive documentation for the conveyance system shall include the following information:

i. type of conveyance system - closed pipe or open drainage;
ii. for closed pipe systems - pipe material, shape, and size;
iii. for open drainage systems - channel/ditch lining material, shape, and dimensions; location and dimensions of any culvert crossings;
iv. drop inlet, catch basin, and manhole locations; and
v. number and size of connections (inlets/outlets) to catch basins and manholes, direction of flow.

All information shall be prepared in digital format suitable for use in GIS software and in accordance with the *Department's* guidance on Illicit Discharge Detection and Elimination. The scale shall be 1:24000 or better.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.
Develop and commence implementation of a Retrofit Program that addresses runoff from sites to correct or reduce existing erosion and/or pollutant loading problems, with a particular emphasis placed on the pollutant Nitrogen. At a minimum, the MS4 shall:

a. establish procedures to identify sites with erosion and/or pollutant loading problems;

b. establish policy and procedures for project selection. Project selection should be based on the Nitrogen reduction potential of the specific retrofit being constructed/installed; the ability to use standard, proven technologies; and the economic feasibility of constructing/installing the retrofit. As part of the project selection process, the *covered entity* should participate in locally based watershed planning efforts which involve the *Department*, other *covered entities*, stakeholders and other interested parties;

c. establish policy and procedures for project permitting, design, funding, construction and maintenance; and

(Part IX.D.5.)

d. by March 9, 2011, develop and submit approvable plans and schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those plans and schedules, the plans and schedules shall become enforceable requirements of this permit.

6. Pollution Prevention/Good Housekeeping For Municipal Operations - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Develop a turf management practices and procedures policy. The policy should address the following:

i. procedures for proper fertilizer application on municipally-owned lands. The application of any Nitrogen-containing fertilizer shall only be allowed under the supervision of a Certified Crop Advisor or Certified Landscape Architect; and

ii. the planting of native plant material to lessen the frequency of mowing and reduce the use of chemicals to control vegetation.

Part X. ACRONYMS AND DEFINITIONS

A. Acronym List

BMP - Best Management Practice
CFR - Code of Federal Regulations
CWA - Clean Water Act
ECL - Environmental Conservation Law
MCC - Municipal Compliance Certification
MCM - Minimum Control Measure
MEP - Maximum Extent Practicable
MS4 - Municipal Separate Storm Sewer System
NPDES - National Pollutant Discharge Elimination System
POC - Pollutant of Concern
SPDES - State Pollutant Discharge Elimination System
SWMP - Stormwater Management Program
SWMP Plan - Stormwater Management Program Plan
SWPPP - Stormwater Pollution Prevention Plan
TMDL - Total Maximum Daily Load
UA - Urbanized Area

B. Definitions

Activities - See best management practice

Additionally Designated Areas - EPA required the Department to develop a set of criteria for designating additional MS4 areas as subject to these regulations. The following criteria have been adopted to designate additional MS4s in New York State:

Criteria 1: MS4s discharging to waters for which and EPA-approved TMDL required reduction of a pollutant associated with stormwater beyond what can be achieved with existing programs (and the area is not already covered under automatic designation as UA).

Criteria 2: MS4s contiguous to automatically designated urbanized areas (town lines) that discharge to sensitive waters classified as AA Special (fresh surface waters), AA (fresh surface waters) with filtration avoidance determination or SA (saline surface waters).

Criterion 3: Automatically designated MS4 areas are extended to Town, Village or City boundaries, but only for Town, Village or City implementation of Minimum Control Measures (4) Construction Site Stormwater Runoff Control and (5) Post Construction Stormwater Management in Development and Redevelopment. This additional designation may be waived, by written request to the Department, where the automatically designated area is a small portion of the total area of the Town, Village or City (less than 15 %) and where there is

little or no construction activity in the area outside of the automatically designated area (less than 5 disturbed acres per year).

Best Management Practice - means schedules activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements (if determined necessary by the covered entity), operating procedures, and practices to control runoff, spillage and leaks, sludge or waste disposal, or drainage from areas that could contribute pollutants to stormwater discharges. BMP is referred to in EPA's fact sheets and other materials. BMPs are also referred to as "activities" or "management practices" throughout this *SPDES general permit*.

Better Site Design (BSD) - Better Site Design incorporates non-structural and natural approaches to new and redevelopment projects to reduce impacts on watersheds by conserving natural areas, reducing impervious cover and better integrating stormwater treatment. Better site design is a form of Green Infrastructure and is similar to Low Impact Development (LID). See also Green Infrastructure and Low Impact Development.

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

Covered entity - means the holder of this *SPDES general permit* or an entity required to gain coverage under this *SPDES general permit*. The owner / operator of the small MS4.

Department - means the New York State Department of Environmental Conservation as well as meaning the Department 's designated agent.

Development - period after initial authorization under this *SPDES general permit* when the covered entity creates, designs or develops activities, BMPs, tasks or other measures to include in their SWMP

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

Discharge Authorized by a SPDES Permit - means discharges of wastewater or stormwater from sources listed in the permit, that do not violate ECL Section 17-0501, that are through outfalls listed in the permit, and that are:

1. discharges within permit limitations of pollutants limited in the SPDES permit;

2. discharges within permit limitations of pollutants limited by an indicator limit in the SPDES permit;
3. discharges of pollutants subject to action level requirements in the SPDES permit;
4. discharges of pollutants not explicitly listed in the SPDES permit, but reported in the SPDES permit application record as detected in the discharge or as something the covered entity knows or has reason to believe to be present in the discharge, provided the special conditions section of the applicable SPDES permit does not otherwise forbid such a discharge and provided that such discharge does not exceed, by an amount in excess of normal effluent variability, the level of discharge that may reasonably be expected for that pollutant from information provided in the SPDES permit application record;
5. discharges of pollutants not required to be reported on the appropriate and current New York State SPDES permit application; provided the special conditions section of the permit does not otherwise forbid such a discharge. The Department may, in accordance with law and regulation, modify the permit to include limits for any pollutant even if that pollutant is not required to be reported on the SPDES permit application; or
6. discharges from fire fighting activities; fire hydrant flushings; testing of fire fighting equipment, provided that such equipment is for water only fire suppression; potable water sources including waterline flushings; irrigation drainage; lawn watering; uncontaminated infiltration and inflow; leakage from raw water conveyance systems; routine external building washdown and vehicle washing which does not use detergents or other compounds; pavement washwaters where spills or leaks of toxic or hazardous materials, other than minor and routine releases from motor vehicles, have not occurred (unless such material has been removed) and where detergents are not used; air conditioning and steam condensate; springs; uncontaminated groundwater; and foundation or footing drains where flows are not contaminated with process materials such as solvents provided that the covered entity has implemented an effective plan for minimizing the discharge of pollutants from all of the sources listed in this subparagraph.

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

Green Infrastructure - Green infrastructure approaches essentially infiltrate, evapotranspirate or reuse stormwater, with significant utilization of soils and vegetation rather than traditional hardscape collection, conveyance and storage structures . Common green infrastructure approaches include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains. See also Low Impact Development and Better Site Design.

Groundwater - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the

atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Illicit Discharges - discharges not entirely composed of stormwater into the small MS4, except those identified in Part I.A.2. Examples of illicit discharges are non-permitted sanitary sewage, garage drain effluent, and waste motor oil. However, an illicit discharge could be any other non-permitted discharge which the covered entity or Department has determined to be a substantial contributor of pollutants to the small MS4.

Impaired Water - a water is impaired if it does not meet its designated use(s). For purposes of this permit 'impaired' refers to impaired waters for which TMDLs have been established, for which existing controls such as permits are expected to resolve the impairment, and those needing a TMDL. Impaired waters compilations are also sometimes referred to as 303(d) lists; 303(d) lists generally include only waters for which TMDLs have not yet been developed. States will generally have associated, but separate lists of impaired waters for which TMDLs have already been established.

Implementation - period after development of SWMP, where the covered entity puts into effect the practices, tasks and other activities in their SWMP.

Individual SPDES Permit - means a SPDES permit issued to a single facility in one location in accordance with this Part (as distinguished from a *SPDES general permit*).

Industrial Activity - as defined by the SPDES Multi-Sector General Permit (GP-0-12-001).

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

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

Low Impact Development - is a site design strategy with a goal of maintaining or replicating the predevelopment hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic landscape. Hydrologic functions of storage, infiltration,

and ground water recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of flow paths and runoff time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands and highly permeable soils. LID principles are based on controlling stormwater at the source by the use of micro scale controls that are distributed throughout the site. This is unlike conventional approaches that typically convey and manage runoff in large facilities located at the base of drainage areas. See also Green Infrastructure and Better Site Design.

Management Practices - See best management practices

Maximum Extent Practicable - is a technology-based standard established by Congress in the Clean Water Act '402(p)(3)(B)(iii). Since no precise definition of MEP exists, it allows for maximum flexibility on the part of MS4 operators as they develop their programs. (40CFR 122.2 See also: Stormwater Phase II Compliance Assistance Guide EPA 833-R-00-002, March 2000). When trying to reduce pollutants to the MEP, there must be a serious attempt to comply, and practical solutions may not be lightly rejected. If a covered entity chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a covered entity employs all applicable BMPs except those where it can be shown that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP required covered entities to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive.

Measurable Goals - are the goals of the SWMP that should reflect the needs and characteristics of the covered entity and the areas served by its small MS4. Furthermore, the goals should be chosen using an integrated approach that fully addresses the requirements and intent of the MCM. The assumption is that the program schedules would be created over a 5 year period and goals would be integrated into that time frame. For example, a larger MS4 could do an outfall reconnaissance inventory for 20% of the collection system every year so that every outfall is inspected once within the permit cycle

Municipal / Municipalities - referred to in the federal rule that describes the Phase II stormwater program includes not only the State's municipal governments (cities, towns, villages and counties), but any publicly funded entity that owns or operates a separate storm sewer system. Examples of other public entities that are included in this program include the State Department of Transportation, State University Campuses, federal and State prisons, State and federal hospitals, Thruway and Dormitory Authorities, public housing authorities, school and other special districts.

Municipal Separate Storm Sewer System - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that discharges to surface waters of the State;
2. designed or used for collecting or conveying stormwater;
3. which is not a combined sewer; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

Non-traditional MS4s - state and federal prisons, office complexes, hospitals; state: transportation agencies; university campuses, public housing authorities, schools, other special districts.

Open Meetings Law - per Public Officers Law, Article 7, Open Meetings Law, Section 104, Public notice:
1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy two hours before such meeting.
2. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
3. The public notice provided for by this section shall not be construed to require publication as a legal notice.
4. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Operator - the person, persons or legal entity that is responsible for the small MS4, as indicated by signing the NOI to gain coverage for the MS4 under this *SPDES general permit*.

Outfall - is defined as any point where a municipally owned and operated separate storm sewer system discharges to either surface waters of the State or to another MS4. Outfalls

include discharges from pipes, ditches, swales, and other points of concentrated flow. However, areas of non-concentrated (sheet) flow which drain to surface waters of the State or to another MS4's system are not considered outfalls and should not be identified as such on the system map.

Pollutants of Concern - there are POCs that are primary (comprise the majority) sources of stormwater pollutants and others that are secondary (less likely).

- The POCs that are primarily of concern are: nitrogen, phosphorus, silt and sediment, pathogens, flow, and floatables impacting impaired waterbodies listed on the Priority Waterbody List known to come in contact with stormwater that could be discharged to that water body.

- The POCs that are secondarily of concern include but are not limited to petroleum hydrocarbons, heavy metals, and polycyclic aromatic hydrocarbons (PAHs), where stormwater or runoff is listed as the source of this impairment.

- The primary and secondary POCs can also impair waters not on the 303(d) list. Thus, it is important for the covered entity to assess known and potential POCs within the area served by their small MS4. This will allow the covered entity to address POCs appropriate to their MS4.

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

Reporting Date – means the end of the annual reporting period, March 9, as indicated in Part V.C.1.

Retrofit - means modifying or adding to existing infrastructure for the purpose of reducing pollutant loadings. Examples, some of which may not be effective for all pollutants, include:

Better site design approaches such as roof top disconnection, diversion of runoff to infiltration areas, soil de-compaction, riparian buffers, rain gardens, cisterns

Rehabilitation of existing storm sewer system by installation of standard stormwater treatment systems (ponds, wetlands, filtering, infiltration) or proprietary practices

Stabilize dirt roads (gravel, stone, water bar, check dam, diversion)

Conversion of dirt parking lots to pervious pavement, grassed or stone cover

Conversion of dry detention ponds to extended detention or wetland treatment systems

Retrofit by converting abandoned buildings to stormwater treatment systems

Retrofit of abandoned building to open space

Retrofit road ditches to enhance open channel design

Control the downstream effects of runoff from existing paved surfaces resulting in flooding and erosion in receiving waters

Control stream erosion by plunge pool, velocity dissipaters, and flow control devices for discharges from conveyance systems

Upgrade of an existing conveyance system to provide water quality and /or quantity control within the drainage structure

Section 303(d) Listed Waters - Section 303(d) is part of the federal CWA that requires the Department to periodically to prepare a list of all surface waters in the State for which beneficial uses of the water – such as for drinking, recreation, aquatic habitat, and industrial use – are impaired by pollutants. These are water quality-limited estuaries, lakes, and streams that fall short of state surface water quality standards, and are not expected to improve within the next two years. Refer to impaired waters for more information.

Single entity - An entity, formed in accordance with the applicable state and/or local legislation, with a legal authority and capacity (financial, resources, etc...) that gains coverage under the MS4 general permit to implement all or parts of the MS4 program within a jurisdiction on behalf of multiple MS4s in that geographic area.

Small MS4 - MS4 system within an urbanized area or other areas designated by the State.

SPDES general permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 authorizing a category of discharges.

Staff - actual employees of the covered entity or contracted entity.

State - means the State of New York.

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

Stormwater - means that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the state.

Stormwater Management Program - the program implemented by the covered entity. Covered entities are required at a minimum to develop, implement and enforce a SWMP designed to address POCs and reduce the discharge of pollutants from the small MS4 to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the *ECL* and Clean Water Act. The SWMP must address the MCM described in Part VIII.

The *SWMP* needs to include *measurable goals* for each of the *BMP*s. The measurable goals will help the covered entities assess the status and progress of their program. The SWMP should:

1. describe the BMP / measureable goal;
2. identify time lines / schedules and milestones for development and implementation;
3. include quantifiable goals to assess progress over time; and
4. describe how the covered entity will address POCs.

Guidance on developing SWMPs is available from the Department on its website. Examples of successful SWMPs and suggested measurable goals are also provided in EPA's Menu of BMPs available from its website. Note that this information is for guidance purposes only. An MS4 may choose to develop or implement equivalent methods equivalent to those made available by the Department and EPA to demonstrate compliance with the MCMs.

When creating the *SWMP*, the *covered entities s*hould assess activities already being performed that could help meet, or be modified to meet, permit requirements and be included in the *SWMP*. *Covered entities* can create their *SWMP* individually, with a group of other individual *covered entities* or a coalition of *covered entities*, or through the work of a third party entity.

Stormwater Management Program Plan- used by the covered entity to document developed, planned and implemented SWMP elements. The *SWMP plan* must describe how pollutants in stormwater runoff will be controlled. For previously unauthorized *small MS4s* seeking coverage, information included in the NOI should be obtained from the *SWMP plan*.

The *SWMP plan* is a separate document from the NOI and should not be submitted with the NOI or any annual reports unless requested.

The *SWMP plan* should include a detailed written explanation of all management practices, activities and other techniques the covered entity has developed, planned and implemented for their SWMP to address POCs and reduce pollutant discharges from their small MS4 to the MEP. The *SWMP plan* shall be revised to incorporate any new or modified *BMP*s or *measurable goals*.

Covered entities can create their *SWMP plan* individually, with a group of other individual *covered entities* or a coalition of *covered entities*, or through the work of a third party entity.

Documents to include are: applicable local laws, inter-municipal agreements and other legal authorities; staffing and staff development programs and organization charts; program budget; policy, procedures, and materials for each minimum measure; outfall and small MS4 system maps; stormwater management practice selection and measurable goals; operation and maintenance schedules; documentation of public outreach efforts and public comments; submitted construction site SWPPPs and review letters and construction site inspection reports.

The *SWMP plan* shall be made readily available to the covered entity's staff and to the public and regulators, such as *Department* and EPA staff. Portions of the *SWMP plan*, primarily policies and procedures, must be available to the management and staff of a *covered entity* that will be called upon to use them. For example, the technical standards and associated technical assistance documents and manuals for stormwater controls should be available to code enforcement officers, review engineers and planning boards. The local laws should be readily available to the town board and planning board. An integrated pest management program would have to be available to the parks department and the stormwater outfall and available sewer system mapping and catch basin cleaning schedule would have to be available to the department of public works.

Storm sewershed - the catchment area that drains into the storm sewer system based on the surface topography in the area served by the stormsewer. Adjacent catchment areas that drain to adjacent outfalls are not separate storm sewersheds.

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

Storm sewers are not waters of the state unless they are classified in 6 NYCRR Parts 800 to 941. Nonetheless, a discharge to a storm sewer shall be regulated as a discharge at the point where the storm sewer discharges to waters of the state. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Act and Environmental Conservation Law (other than cooling ponds as defined in 40 CFR 423.11(m)(see section 750 - 1.24) which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the State (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

SWPPP - as defined per the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity or NYS DEC SPDES Multi-Sector General Permit for Stormwater Associated with Industrial Activity .

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

Traditional Land Use Control MS4s - means a city, town or village with land use control authority.

Traditional Non-land Use Control MS4s - means any county agency without land use control.

Urbanized Area - is a land area comprising one or more places (central place(s)) and the adjacent densely settled surrounding area (urban fringe) that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile, as defined by the US Bureau of Census. Outlines the extent of automatically regulated areas, often do not extend to the political boundaries of a city, town, or village. SWMPs are only required within the UA. However, the Department encourages covered entities to voluntarily extend their SWMP programs at least to the extent of the storm sewershed that flows into the UA or extend further to their entire jurisdiction. For ease of creation and administration of local laws, ordinances or other regulatory mechanisms, these should be created to apply to the full jurisdictional boundary of municipalities.

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

Part XI. RE-OPENER CLAUSE

If there is evidence indicating that the stormwater discharges authorized by this permit cause or have the reasonable potential to cause or contribute to a violation of a water quality standard, the covered entity may be required at the Department 's sole discretion to obtain an individual SPDES permit or an alternative *SPDES general permit* or the permit may be modified. In addition, coverage under this permit could terminate, meaning the discharge must cease.

APPENDICES

APPENDIX 1. LIST OF NYS DEC REGIONAL OFFICES

Region	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, PO BOX 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD, PO BOX 220 WARRENSBURG, NY 12885-0220 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070

APPENDIX 2. IMPAIRED SEGMENTS AND PRIMARY POLLUTANTS OF CONCERN

COUNTY	WATERBODY NAME	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	phosphorus
Albany	Basic Creek Reservoir	phosphorus
Bronx	Van Cortlandt Lake	phosphorus
Bronx	Bronx River, Lower	pathogens
Bronx	Bronx River, Lower	floatables
Bronx	Bronx River, Middle, and tribs	pathogens
Bronx	Bronx River, Middle, and tribs	floatables
Bronx	Westchester Creek	floatables
Bronx	Hutchinson River, Lower, and tribs	floatables
Broome	Susquehanna River, Lower, Main Stem	pathogens
Broome	Whitney Point Lake/Reservoir	phosphorus
Broome	Park Creek and tribs	pathogens
Broome	Beaver Lake	phosphorus
Broome	White Birch Lake	phosphorus
Cayuga	Little Sodus Bay	phosphorus
Cayuga	Owasco Lake	pathogens
Cayuga, Tompkins	Owasco Inlet, Upper, and tribs	phosphorus
Chautauqua	Lake Erie (Dunkirk Harbor)	pathogens
Chautauqua	Chadakoin River and tribs	phosphorus
Chautauqua	Chautauqua Lake, South	phosphorus
Chautauqua	Chautauqua Lake, North	phosphorus
Chautauqua	Bear Lake	phosphorus
Chautauqua	Lower Cassadaga Lake	phosphorus
Chautauqua	Middle Cassadaga Lake	phosphorus
Chautauqua	Findley Lake	phosphorus
Chenango	Unadilla River, Lower, Main Stem	pathogens
Clinton	Lake Champlain, Main Lake, North	phosphorus
Clinton	Lake Champlain, Main Lake, Middle	phosphorus
Clinton	Great Chazy River, Lower, Main Stem	silt/sediment
Columbia	Robinson Pond	phosphorus
Columbia	Kinderhook Lake	phosphorus
Delaware	Cannonsville Reservoir	phosphorus
Dutchess	Hillside Lake	phosphorus
Dutchess	Wappinger Lakes	phosphorus
Dutchess	Wappinger Lakes	silt/sediment
Dutchess	Fall Kill and tribs	phosphorus
Dutchess	Rudd Pond	phosphorus
Erie	Ellicott Creek, Lower, and tribs	phosphorus
Erie	Ellicott Creek, Lower, and tribs	silt/sediment
Erie	Ransom Creek, Lower, and tribs	pathogens

COUNTY	WATERBODY NAME	POLLUTANT
Erie	Ransom Creek, Upper, and tribs	pathogens
Erie	Beeman Creek and tribs	phosphorus
Erie	Beeman Creek and tribs	pathogens
Erie	Murder Creek, Lower, and tribs	phosphorus
Erie	Murder Creek, Lower, and tribs	pathogens
Erie	Two Mile Creek and tribs	pathogens
Erie	Two Mile Creek and tribs	floatables
Erie	Scajaquada Creek, Lower, and tribs	floatables
Erie	Scajaquada Creek, Lower, and tribs	pathogens
Erie	South Branch Smoke Cr, Lower, and tribs	phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs	silt/sediment
Erie	Rush Creek and tribs	pathogens
Erie	Rush Creek and tribs	phosphorus
Erie	Little Sister Creek, Lower, and tribs	phosphorus
Erie	Little Sister Creek, Lower, and tribs	pathogens
Essex	Lake Champlain, Main Lake, South	phosphorus
Essex	Lake Champlain, South Lake	phosphorus
Genesee	Tonawanda Creek, Middle, Main Stem	phosphorus
Genesee	Tonawanda Creek, Middle, Main Stem	silt/sediment
Genesee	Tonawanda Creek, Upper, and minor tribs	silt/sediment
Genesee	Bowen Brook and tribs	phosphorus
Genesee	Little Tonawanda Creek, Lower, and tribs	silt/sediment
Genesee	Oak Orchard Cr, Upper, and tribs	phosphorus
Genesee	Black Creek, Upper, and minor tribs	phosphorus
Genesee	Bigelow Creek and tribs	phosphorus
Greene	Schoharie Reservoir	silt/sediment
Greene	Shingle Kill and tribs	pathogens
Greene	Sleepy Hollow Lake	silt/sediment
Herkimer	Unadilla River, Middle, and minor tribs	pathogens
Herkimer	Mohawk River, Main Stem	pathogens
Herkimer	Mohawk River, Main Stem	floatables
Herkimer	Steele Creek tribs	phosphorus
Herkimer	Steele Creek tribs	silt/sediment
Jefferson	Moon Lake	phosphorus
Kings	Coney Island Creek	pathogens
Kings	Coney Island Creek	floatables
Kings	Gowanus Canal	floatables
Kings	Hendrix Creek	nitrogen
Kings	Hendrix Creek	pathogens
Kings	Hendrix Creek	floatables
Kings	Paerdegat Basin	floatables
Kings	Mill Basin and tidal tribs	floatables

COUNTY	WATERBODY NAME	POLLUTANT
Lewis	Beaver River, Lower, and tribs	pathogens
Lewis	Beaver River, Lower, and tribs	floatables
Lewis	Mill Creek/South Branch, and tribs	phosphorus
Lewis	Mill Creek/South Branch, and tribs	pathogens
Livingston	Conesus Lake	phosphorus
Livingston	Jaycox Creek and tribs	phosphorus
Livingston	Jaycox Creek and tribs	silt/sediment
Livingston	Mill Creek and minor tribs	silt/sediment
Madison	Canastota Creek, Lower, and tribs	pathogens
Monroe	Rochester Embayment - West	pathogens
Monroe	Mill Creek and tribs	phosphorus
Monroe	Mill Creek and tribs	pathogens
Monroe	Shipbuilders Creek and tribs	phosphorus
Monroe	Shipbuilders Creek and tribs	pathogens
Monroe	Minor Tribs to Irondequoit Bay	phosphorus
Monroe	Minor Tribs to Irondequoit Bay	pathogens
Monroe	Thomas Creek/White Brook and tribs	phosphorus
Monroe	Buck Pond	phosphorus
Monroe	Long Pond	phosphorus
Monroe	Cranberry Pond	phosphorus
Monroe	Genesee River, Lower, Main Stem	phosphorus
Monroe	Genesee River, Lower, Main Stem	pathogens
Monroe	Genesee River, Lower, Main Stem	silt/sediment
Monroe	Genesee River, Middle, Main Stem	phosphorus
Monroe	Black Creek, Lower, and minor tribs	phosphorus
Nassau	Long Island Sound, Nassau County	pathogens
Nassau	Long Island Sound, Nassau County	nitrogen
Nassau	Manhasset Bay, and tidal tribs	pathogens
Nassau	Manhasset Bay, and tidal tribs	pathogens
Nassau	Hempstead Harbor, south, and tidal tribs	pathogens
Nassau	Glen Cove Creek, Lower, and tribs	pathogens
Nassau	Glen Cove Creek, Lower, and tribs	silt/sediment
Nassau	Dosoris Pond	pathogens
Nassau	Mill Neck Creek and tidal tribs	pathogens
Nassau	South Oyster Bay	pathogens
Nassau	East Bay	pathogens
Nassau	LI Tribs (fresh) to East Bay	phosphorus
Nassau	LI Tribs (fresh) to East Bay	silt/sediment
Nassau	Middle Bay	pathogens
Nassau	East Rockaway Inlet	pathogens
Nassau	Reynolds Channel, east	pathogens
Nassau	East Meadow Brook, Upper, and tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Nassau	Hempstead Bay	Nitrogen
Nassau	Hempstead Bay	pathogens
Nassau	Hempstead Lake	phosphorus
Nassau	Grant Park Pond	phosphorus
Nassau	Woodmere Channel	pathogens
New York	East River, Lower	floatables
New York	Harlem River	floatables
Niagara	Bergholtz Creek and tribs	phosphorus
Niagara	Bergholtz Creek and tribs	pathogens
Oneida	Utica Harbor	pathogens
Oneida	Utica Harbor	floatables
Oneida	Mohawk River, Main Stem	pathogens
Oneida	Mohawk River, Main Stem	floatables
Oneida	Mohawk River, Main Stem	pathogens
Oneida	Mohawk River, Main Stem	floatables
Oneida	Ballou, Nail Creeks and tribs	phosphorus
Oneida	Ninemile Creek, Lower, and tribs	pathogens
Onondaga	Limestone Creek, Lower, and minor tribs	pathogens
Onondaga	Seneca River, Lower, Main Stem	pathogens
Onondaga	Onondaga Lake, northern end	phosphorus
Onondaga	Onondaga Lake, southern end	pathogens
Onondaga	Onondaga Lake, southern end	phosphorus
Onondaga	Minor Tribs to Onondaga Lake	phosphorus
Onondaga	Minor Tribs to Onondaga Lake	pathogens
Onondaga	Bloody Brook and tribs	pathogens
Onondaga	Ley Creek and tribs	pathogens
Onondaga	Ley Creek and tribs	phosphorus
Onondaga	Onondaga Creek, Lower, and tribs	phosphorus
Onondaga	Onondaga Creek, Lower, and tribs	pathogens
Onondaga	Onondaga Creek, Middle, and tribs	silt/sediment
Onondaga	Onondaga Creek, Middle, and tribs	phosphorus
Onondaga	Onondaga Creek, Middle, and tribs	pathogens
Onondaga	Onondaga Creek, Upper, and minor tribs	silt/sediment
Onondaga	Harbor Brook, Lower, and tribs	phosphorus
Onondaga	Harbor Brook, Lower, and tribs	pathogens
Onondaga	Ninemile Creek, Lower, and tribs	phosphorus
Onondaga	Ninemile Creek, Lower, and tribs	pathogens
Ontario	Hemlock Lake Outlet and minor tribs	phosphorus
Ontario	Hemlock Lake Outlet and minor tribs	pathogens
Ontario	Honeoye Lake	phosphorus
Ontario	Great Brook and minor tribs	phosphorus
Ontario	Great Brook and minor tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Orange	Greenwood Lake	phosphorus
Oswego	Lake Neatahwanta	phosphorus
Otsego	Susquehanna River, Main Stem	pathogens
Putnam	Croton Falls Reservoir	phosphorus
Putnam	West Branch Reservoir	phosphorus
Putnam	Boyd Corners Reservoir	phosphorus
Putnam	Middle Branch Reservoir	phosphorus
Putnam	Lake Carmel	phosphorus
Putnam	Diverting Reservoir	phosphorus
Putnam	East Branch Reservoir	phosphorus
Putnam	Bog Brook Reservoir	phosphorus
Putnam	Oscawana Lake	phosphorus
Queens	Newtown Creek and tidal tribs	floatables
Queens	East River, Upper	floatables
Queens	East River, Upper	floatables
Queens	Flushing Creek/Bay	nitrogen
Queens	Flushing Creek/Bay	floatables
Queens	Little Neck Bay	pathogens
Queens	Alley Creek/Little Neck Bay Trib	floatables
Queens	Jamaica Bay, Eastern, and tribs	nitrogen
Queens	Jamaica Bay, Eastern, and tribs	pathogens
Queens	Jamaica Bay, Eastern, and tribs	floatables
Queens	Thurston Basin	floatables
Queens	Bergen Basin	Nitrogen
Queens	Bergen Basin	pathogens
Queens	Bergen Basin	floatables
Queens	Shellbank Basin	nitrogen
Queens	Spring Creek and tribs	pathogens
Queens	Spring Creek and tribs	floatables
Rensselaer	Snyders Lake	phosphorus
Richmond	Raritan Bay (Class SA)	pathogens
Richmond	Arthur Kill (Class I) and minor tribs	floatables
Richmond	Newark Bay	floatables
Richmond	Kill Van Kull	floatables
Richmond	Grasmere, Arbutus and Wolfes Lakes	phosphorus
Saratoga	Dwaas Kill and tribs	Phosphorus
Saratoga	Dwaas Kill and tribs	silt/sediment
Saratoga	Schuyler Creek and tribs	phosphorus
Saratoga	Schuyler Creek and tribs	pathogens
Saratoga	Lake Lonely	phosphorus
Saratoga	Tribs to Lake Lonely	Phosphorus
Saratoga	Tribs to Lake Lonely	pathogens

COUNTY	WATERBODY NAME	POLLUTANT
Schenectady	Collins Lake	phosphorus
Schoharie	Cobleskill Creek, Lower, and tribs	pathogens
Schoharie	Engleville Pond	phosphorus
Schoharie	Summit Lake	phosphorus
St. Lawrence	Black Lake Outlet/Black Lake	phosphorus
Steuben	Lake Salubria	phosphorus
Steuben	Smith Pond	phosphorus
Suffolk	Millers Pond	phosphorus
Suffolk	Stony Brook Harbor and West Meadow	pathogens
Suffolk	Port Jefferson Harbor, North, and tribs	pathogens
Suffolk	Conscience Bay and tidal tribs	pathogens
Suffolk	Beach/Island Ponds, Fishers Island	pathogens
Suffolk	Dering Harbor	pathogens
Suffolk	Tidal Tribs to Gr Peconic Bay, Northshr	pathogens
Suffolk	Mattituck (Marratooka) Pond	phosphorus
Suffolk	Mattituck (Marratooka) Pond	pathogens
Suffolk	Flanders Bay, West/Lower Sawmill	nitrogen
Suffolk	Meetinghouse/Terrys Creeks and tribs	nitrogen
Suffolk	Meetinghouse/Terrys Creeks and tribs	pathogens
Suffolk	Peconic River, Lower, and tidal tribs	nitrogen
Suffolk	Peconic River, Lower, and tidal tribs	pathogens
Suffolk	Scallop Pond	pathogens
Suffolk	Oyster Pond/Lake Munchogue	pathogens
Suffolk	Phillips Creek, Lower, and tidal tribs	pathogens
Suffolk	Quogue Canal	pathogens
Suffolk	Forge River, Lower and Cove	pathogens
Suffolk	Tidal tribs to West Moriches Bay	Nitrogen
Suffolk	Tidal tribs to West Moriches Bay	pathogens
Suffolk	Canaan Lake	silt/sediment
Suffolk	Canaan Lake	phosphorus
Suffolk	Nicoll Bay	pathogens
Suffolk	Lake Ronkonkoma	phosphorus
Suffolk	Lake Ronkonkoma	pathogens
Suffolk	Great Cove	pathogens
Tompkins	Cayuga Lake, Southern End	phosphorus
Tompkins	Cayuga Lake, Southern End	silt/sediment
Tompkins	Cayuga Lake, Southern End	pathogens
Ulster	Ashokan Reservoir	silt/sediment
Ulster	Esopus Creek, Upper, and minor tribs	silt/sediment
Warren	Lake George	silt/sediment
Warren	Tribs to L.George, Village of L George	silt/sediment
Warren	Huddle/Finkle Brooks and tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Warren	Indian Brook and tribs	silt/sediment
Warren	Hague Brook and tribs	silt/sediment
Washington	Lake Champlain, South Bay	phosphorus
Washington	Tribs to L.George, East Shore	silt/sediment
Washington	Cossayuna Lake	phosphorus
Wayne	Blind Sodus Bay	phosphorus
Wayne	Port Bay	phosphorus
Westchester	Saw Mill River, Lower, and tribs	floatables
Westchester	New Croton Reservoir	phosphorus
Westchester	Upper New Croton/Muscoot Reservoir	phosphorus
Westchester	Amawalk Reservoir	phosphorus
Westchester	Lake Lincolndale	phosphorus
Westchester	Peach Lake	pathogens
Westchester	Peach Lake	phosphorus
Westchester	Titicus Reservoir	phosphorus
Westchester	Cross River Reservoir	phosphorus
Westchester	Lake Meahaugh	phosphorus
Westchester	Bronx River, Upper, and tribs	pathogens
Westchester	New Rochelle Harbor	pathogens
Westchester	New Rochelle Harbor	floatables
Westchester	Long Island Sound, Westchester Co	pathogens
Westchester	Long Island Sound, Westchester Co	nitrogen
Westchester	Larchmont Harbor	pathogens
Westchester	Larchmont Harbor	floatables
Westchester	Hutchinson River, Middle, and tribs	pathogens
Westchester	Mamaroneck Harbor	pathogens
Westchester	Mamaroneck Harbor	floatables
Westchester	Mamaroneck River, Lower	silt/sediment
Westchester	Mamaroneck River, Upper, and minor	silt/sediment
Westchester	Sheldrake River and tribs	phosphorus
Westchester	Sheldrake River and tribs	silt/sediment
Westchester	Milton Harbor	pathogens
Westchester	Milton Harbor	floatables
Westchester	Blind Brook, Lower	silt/sediment
Westchester	Blind Brook, Upper, and tribs	silt/sediment
Westchester	Port Chester Harbor	pathogens
Westchester	Port Chester Harbor	floatables
Westchester	Byram River, Lower	pathogens
Wyoming	Java Lake	phosphorus
Wyoming	Silver Lake	phosphorus

APPENDIX 2 (CONTINUED)
IMPAIRED SEGMENTS AND SECONDARY POLLUTANTS OF CONCERN

COUNTY	WATERBODY	POLLUTANT
Oneida	Mohawk River, Main Stem	Copper
Westchester	Hutchinson River, Middle and tribs	Oil and Grease

APPENDIX 3. NEW YORK CITY WATERSHED EAST OF THE HUDSON RIVER WATERSHED MAP

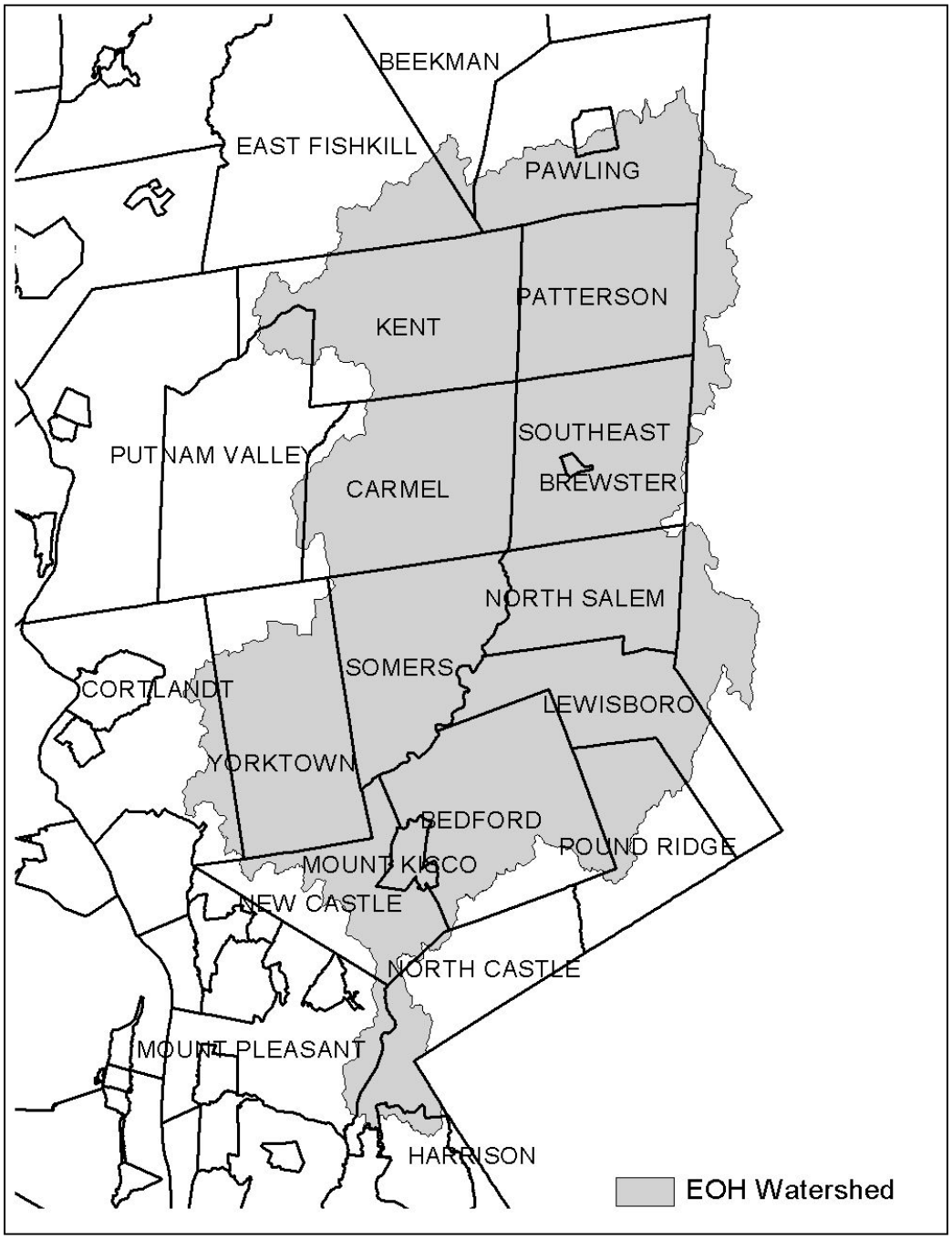


Figure 1. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 4. ONONDAGA LAKE WATERSHED MAP

Figure 2. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 5. GREENWOOD LAKE WATERSHED MAP

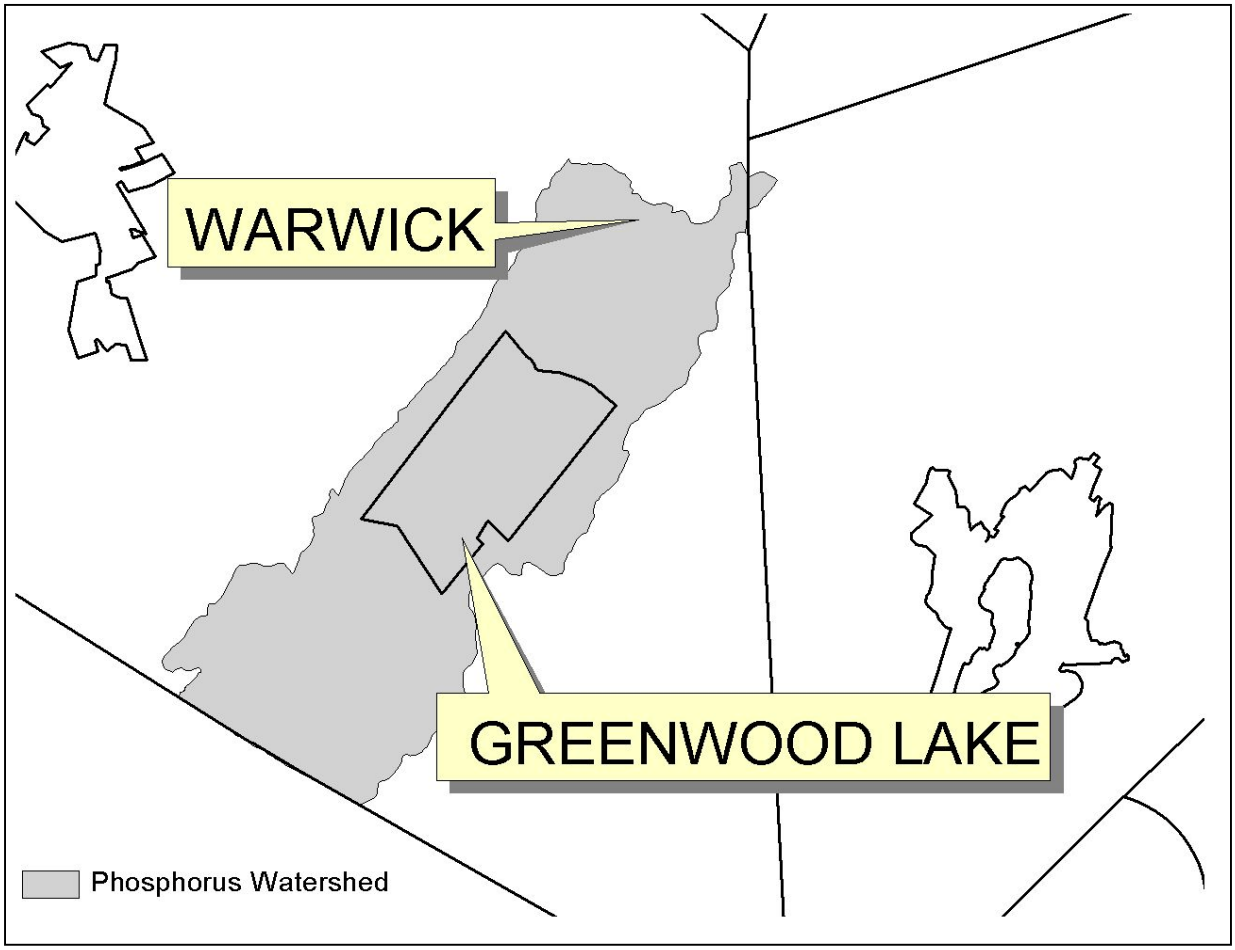


Figure 3. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 6. OYSTER BAY WATERSHED MAP

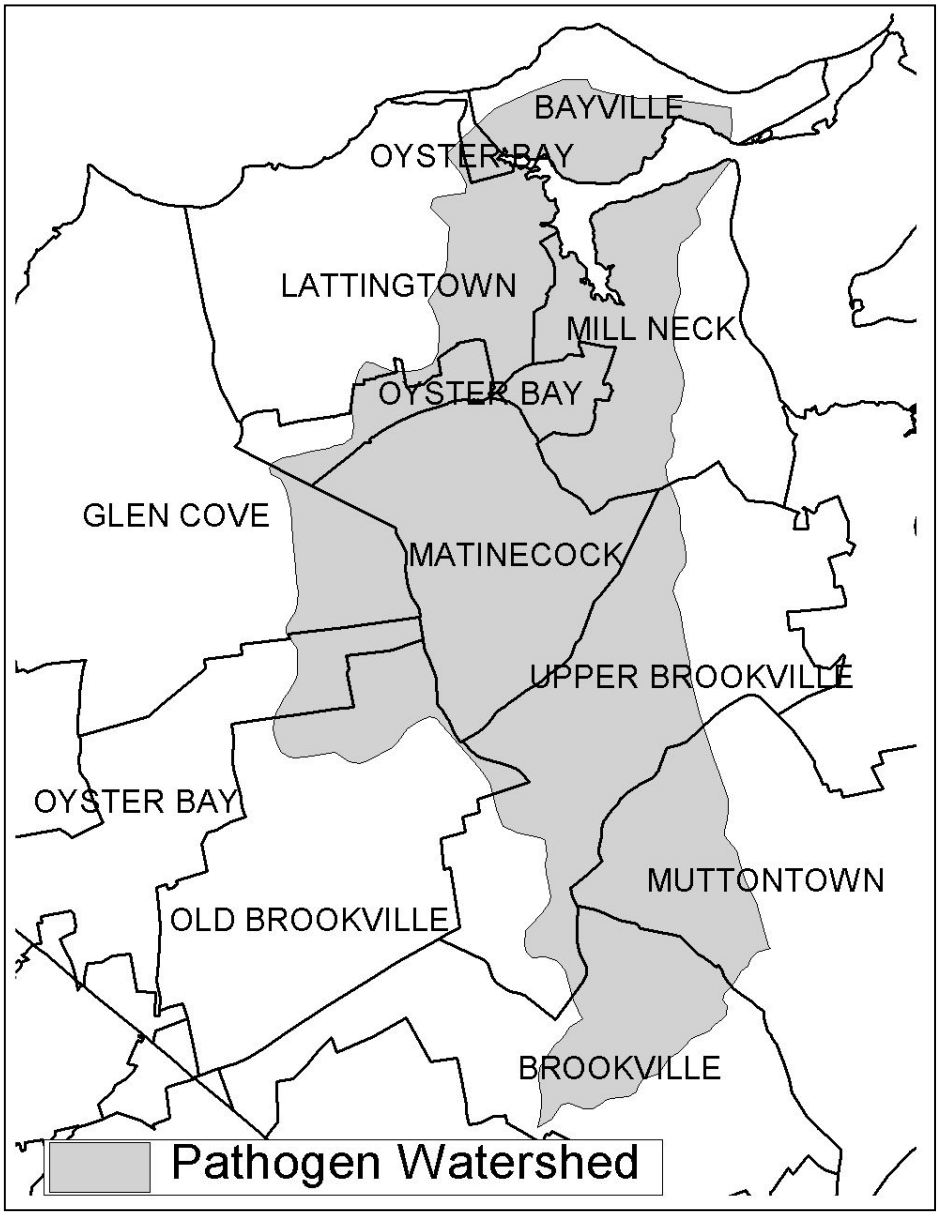


Figure 4. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX B – PECONIC ESTUARY PATHOGEN WATERSHED MAP

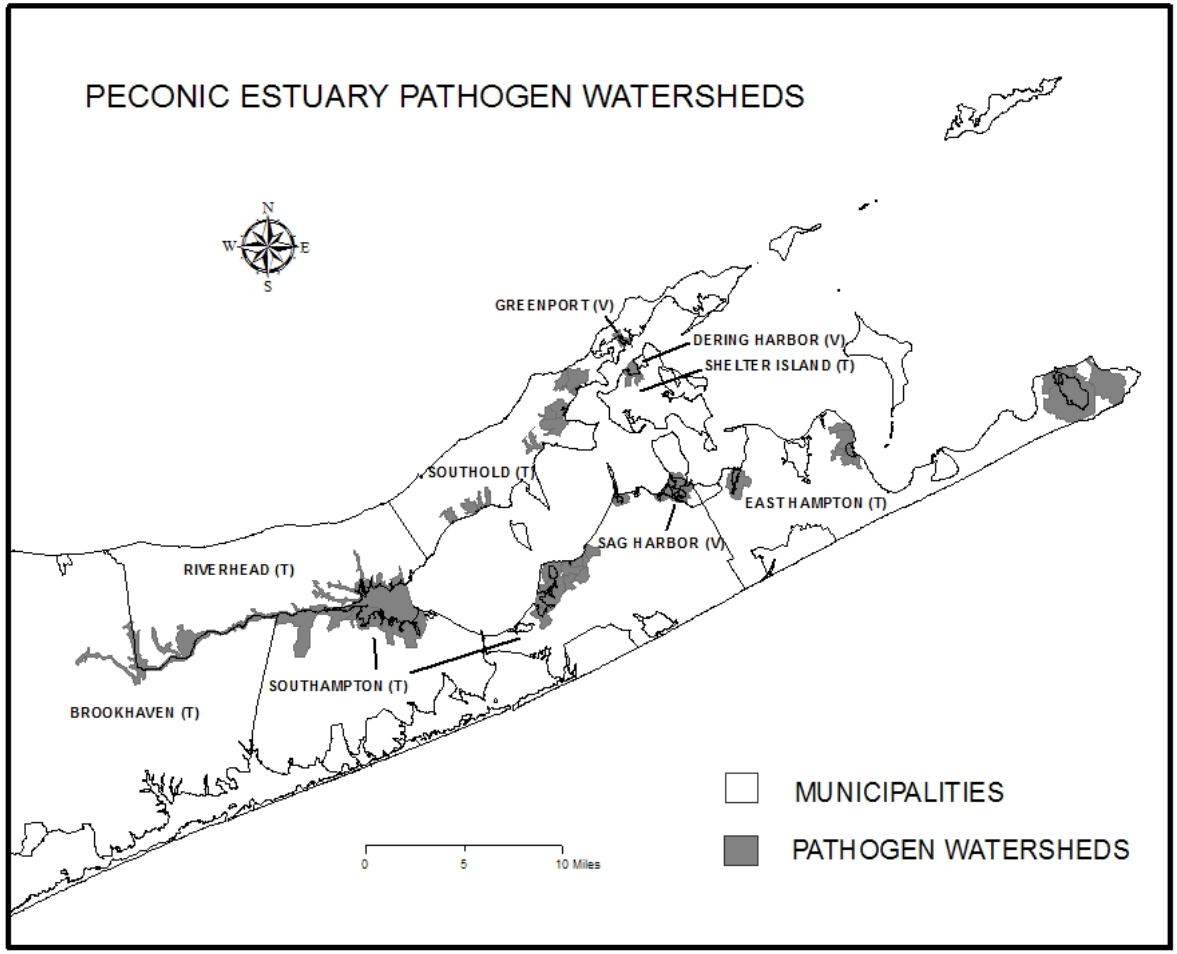


Figure 5. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 8. PECONIC ESTUARY NITROGEN WATERSHED MAP

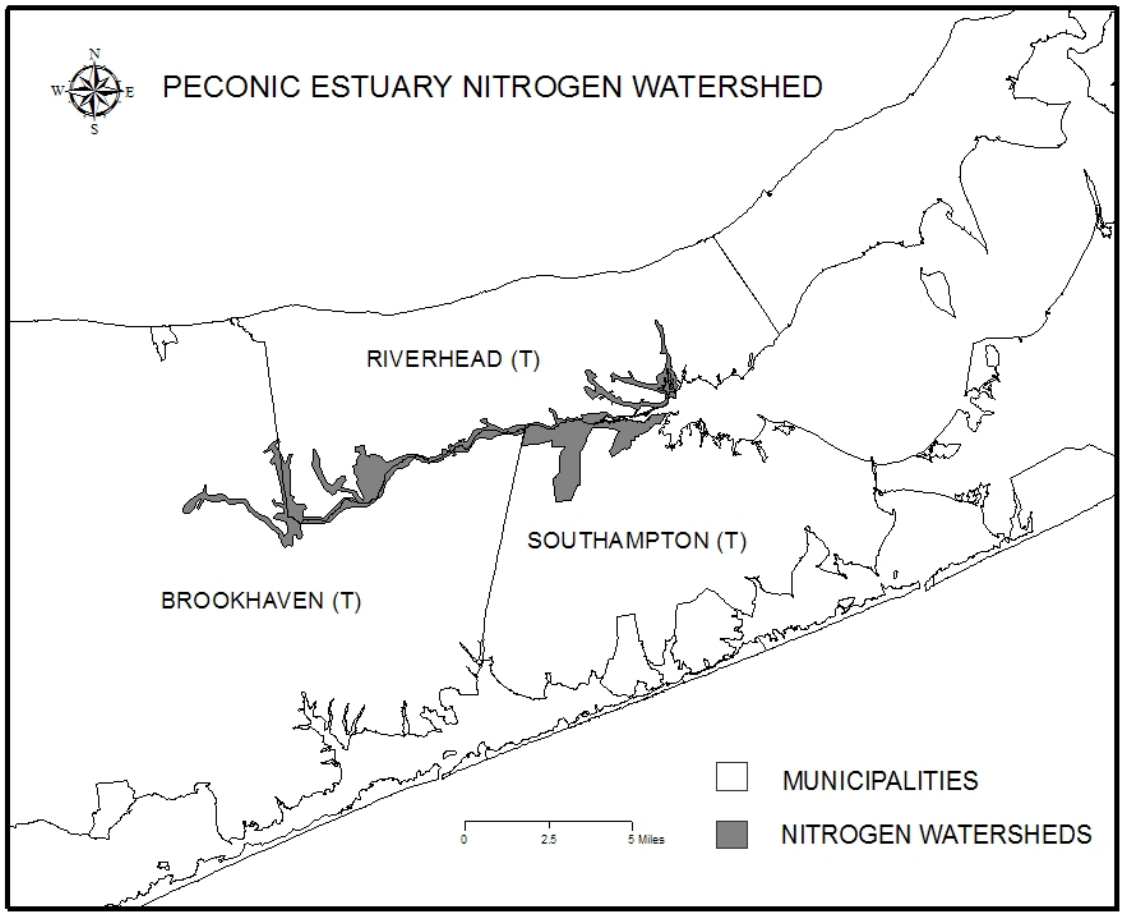


Figure 6. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 9. THE 27 LONG ISLAND SHELLFISHING IMAPIRED EMBAYMENT MAP

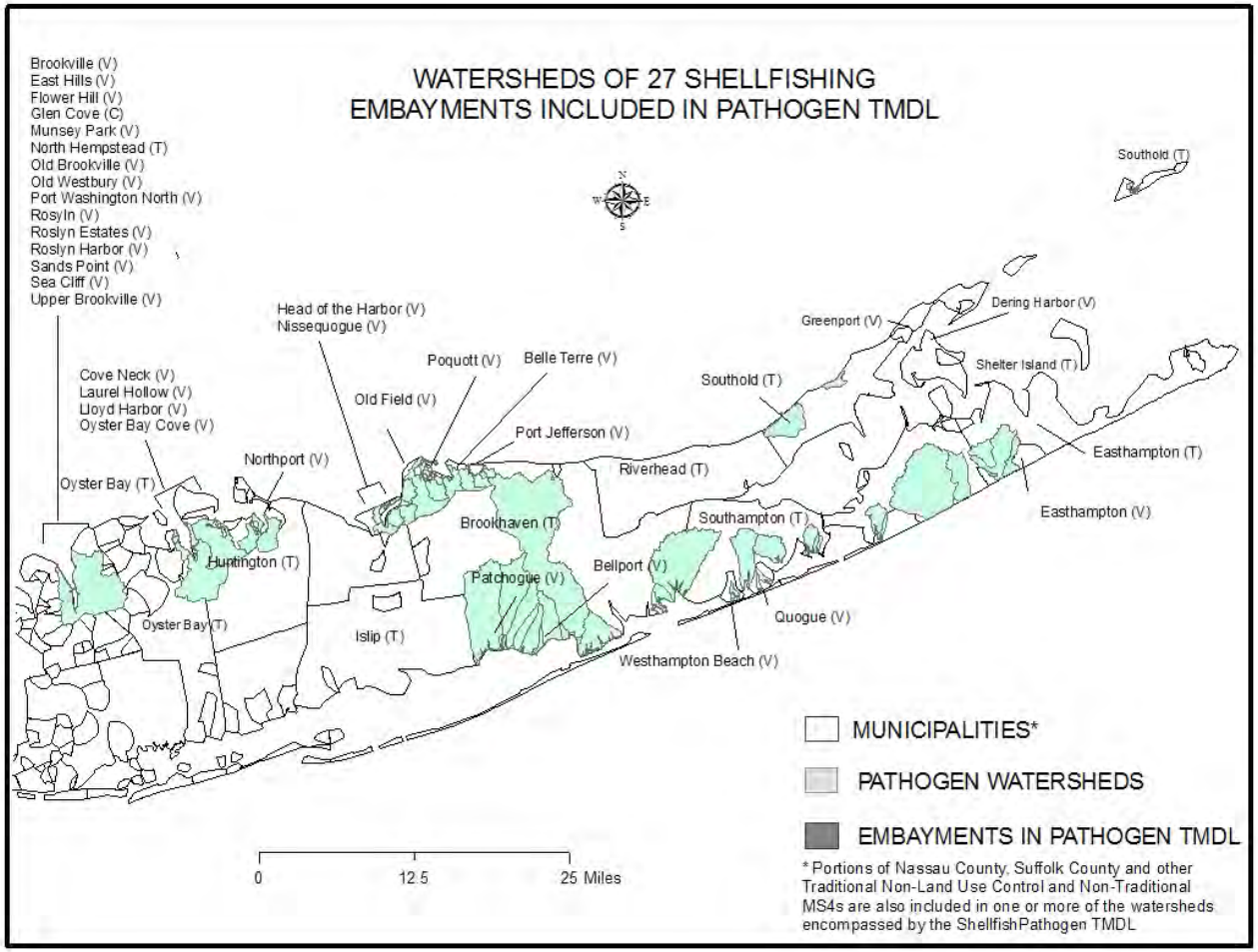


Figure 7. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 10. LAKE OSCAWANA WATERSHED MAP

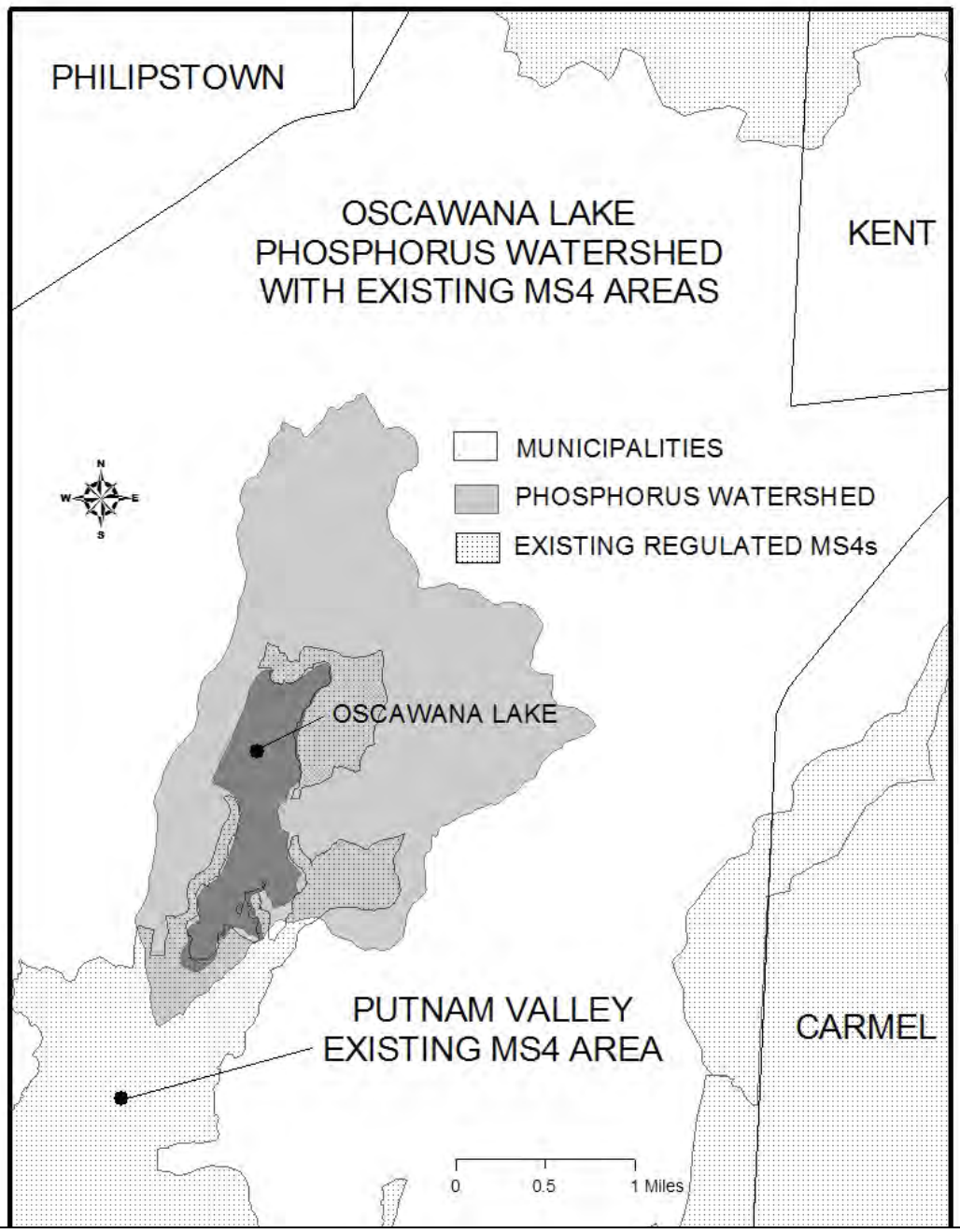


Figure 8. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

Appendix B

Notice of Intent

New York State Department of Environmental Conservation
625 Broadway
Albany NY 12233-3505

Notice of Intent for Coverage Under an SPDES General Permit for Storm Water Discharges From SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Submission of this Notice of Intent (NOI) constitutes notice that the entity identified in Section A of this form intends to be authorized by DEC's Small MS4 SPDES General Permit issued for storm water discharges from the small municipal separate storm sewer system (MS4) in New York State. Submission of the NOI also constitutes notice that the party identified in Section A of this form has read, understands, and meets the eligibility conditions of Part I.B. of the Small MS4 General Permit; agrees to comply with all applicable terms and conditions of the Small MS4 General Permit; understands that continued authorization under the Small MS4 General Permit is contingent on maintaining eligibility for coverage, and that implementation of the permittee's storm water management program is required to begin within five(5) calendar days after a completed NOI is received by DEC. In order to be granted coverage, all information required on this form must be completed. Please read and make sure you comply with all permit requirements, including the requirement to prepare and implement a storm water management program.

Section A. Small MS4 Owner/Operator Information

1. Name: VILLAGE OF WAPPINGERS FALLS 2. Phone: (845) 297-8773

3. a. Mailing Address: a. Street or P.O. Box: 2628 SOUTH AVENUE

b. City: WAPPINGERS FALLS c. State: NY d. Zip Code: 12590 -

Section B. Small MS4 Location Information

1. MS4 Name: VILLAGE OF WAPPINGERS FALLS

2. a. ~~City/Town~~/Village: WAPPINGERS FALLS

b. County(ies): DUTCHESS

3. a. Permit Applicant: ☐ Federal ☐ State ☐ County ☐ City ☐ Town ☒ Village

☐ School District ☐ Fire District ☐ Other public entity

4. Does the MS4 discharge to receiving waters or a watershed which is/are impaired (appears on DEC's 303(d) list or for which a Total Maximum Daily Load (TMDL) has been determined)? ☒ Yes ☐ No

Section C. Initial Identification of Management Practices (attach additional sheets as necessary)

1. Public Education and Outreach on Storm Water Impacts

Outreach Techniques	*Management Practices to Encourage*
■ **Plan and conduct an ongoing public education and outreach program (required)**	■ Proper lawn and garden care (fertilizer and pesticide use, sweeping, etc.)
☐ Classroom education/school programs	☐ Low impact development
☐ Outreach to commercial entities	☐ Pet waste management
■ Webpage	■ Pollution prevention for businesses
■ Printed material	■ Proper disposal of household hazardous wastes
☐ Media campaign	■ Trash management
☐ Library of educational materials	☐ Water conservation practices
☐ Events and Programs	☐ Others: .....
☐ Displays	
☐ Posters and signs of varying sizes (magnet to billboards)	
☐ Speakers to community groups	
☐ Economic incentives	
☐ Promotional giveaways	
☐ Other	

2. Public Involvement/Participation

Involvement Techniques	*Participation Activities*
■ **Public notice and access to documents and information (required)**	☐ Adopt-a-stream
■ **Public presentation and comments received SWMP and on annual reports (required)**	☐ Reforestation program
■ **Public involvement/participation program (required)**	☐ Storm drain stenciling
■ **Contact person identified (required)**	■ Stream, beach, roadway cleanup
■ Advisory/partner committees	☐ Volunteer monitoring
■ Watershed organizations	☐ Wetland plantings
☐ Attitude surveys	☐ Others .....
☐ Community hot lines	
☐ Stakeholder meetings	
☐ Mailing list development and use	
☐ Other	

3. Illicit Discharge Detection and Elimination

Detection and Elimination Activities	*Type of Discharges to Target*
■ **Outfall mapping (required)**	☐ Failing septic systems
■ **Illicit discharges prohibited (required)**	☐ Illegal dumping
■ **Public, employees, businesses informed of hazards from illicit discharges (required)**	■ Industrial/business connections
■ **Illicit discharges identified (required)**	☐ Recreational sewage
☐ System mapping	■ Sanitary sewer overflows
☐ Dye testing	■ Wastewater connections to the storm drain system
☐ Shoreline surveys	☐ Others .....
☐ System inspections	
☐ Other	

4. Construction Site Storm Water Runoff Control

Construction Program Requirements (at a minimum equivalent to GP-02-01)	*Program Criteria*
■ **Require erosion and sedimentation controls through an ordinance or other regulatory mechanism (required)**	■ New York State Standards and Specifications for Erosion and Sediment Control
■ **Provide opportunity for public comment on construction plans (required)**	■ New York State Stormwater Management Design Manual
■ **Require construction site plan review (required)**	
■ **Require overall construction site waste management (required)**	
■ **Site inspections and enforcement (required)**	
■ **Education and training of construction site operators (required)**	
☐ Other	

Section C. Initial Identification of Management Practices (continued)

5. Post-Construction Stormwater Management

Post-Construction Program Requirements	*Program Criteria*
■ **Assess existing conditions throughout the MS4 and identify appropriate management practices to reduce pollutant discharge to the maximum extent practicable. (required)**	■ New York State Stormwater Management Design Manual
■ **Regulate post-construction runoff from development through an ordinance or other regulatory mechanism (required)**	
■ **Develop management practice inspection and maintenance program. (required)**	
☐ Other	

6. Pollution Prevention/Good Housekeeping for Municipal Operations

Program Requirements	*Management Practices*
■ **Prevent discharge of pollutants from municipal operations (required)**	■ Street cleaning
■ **Follow DEC NPS Management Practices Catalog, or equivalent (required)**	■ Catch basin and storm drain system cleaning
■ **Conduct employee pollution prevention training (required)**	☐ Alternative discharge options for chlorinated water
	■ Vehicle maintenance and washing
	☐ Hazardous and waste materials management
	■ Landscaping and lawn care
	☐ Integrated Pest Management (IPM)
	☐ Marina Management
	☐ Road salt storage
	■ Roadway and bridge maintenance
	☐ Municipally-owned septic system management
	☐ Spill response and prevention
	☐ Others: .....

Section D. Initial Identification of Measurable Goals (attach additional sheets as necessary)

Person(s) responsible for implementing or coordinating the storm water management program:

JEFFREY J. CONTELMO, P.E. Phone: (845) 225-9690

CONSULTING VILLAGE ENGINEER

1. Public Education and Outreach on Storm Water Impacts

Measurable goals (with start and end dates): ....

SEE ATTACHED

4. Construction Site Storm Water Runoff Control

Measurable goals (with start and end dates): .....

SEE ATTACHED

2. Public Involvement/Participation

Measurable goals (with start and end dates):

SEE ATTACHED

5. Post-Construction Storm Water Management in New Development and Redevelopment

Measurable goals (with start and end dates):

SEE ATTACHED

Section D. (continued)

3. Illicit Discharge Detection and Elimination

Measurable goals (with start and end dates):

SEE ATTACHED

6. Pollution Prevention/Good Housekeeping for Municipal Operations

Measurable goals (with start and end dates):

SEE ATTACHED

Section E. Cooperating MS4s

Identify any MS4 partners that will be assisting you in carrying out your Stormwater Management Program: (Attach a description of what portions of which management practices that the other MS4s will be doing for you, and similarly what practices that you are assisting them with.)

Name of Cooperating MS4	Address	Contact Person	Telephone number	Email
*DUTCHESS COUNTY DPW	626 DUTCHESS TURNPIKE POUGHKEEPSIE, NY	CHARLIE TRAVER	(845) 486-2901	
*NYSDOT	4 BURNETT BLVD. POUGHKEEPSIE, NY	ELISABETH KOLB	(845) 575-6158	
*(T) POUGHKEEPSIE	1 OVERROCKER RD. POUGHKEEPSIE, NY	DON BEER	(845) 485-3635	
*(T) WAPPINGER	20 MIDDLEBUSH RD. WAPPINGERS FALLS, NY	JOE RUGGERIO	(845) 297-5771	

*PARTNERS IN WAPPINGER CREEK MUNICIPAL COUNCIL

Section F. Certification

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

Print Name: MAYOR MARY ROSS

Signature: Mary A Ross Date: 3/14/03

Appendix C

Supporting Documentation for Dutchess County MS4 Coordination committee

Dutchess County MS4 Coordination Committee

Bylaws adopted DATE: ____July 9, 2014_____

Article I. Title and Purpose.

1.1 Title

The Organization shall be known as the Dutchess County MS4 Coordination Committee (hereafter the Committee).

1.2 Purpose

The purpose of the Committee is to foster the cooperation and exchange of information among the participating jurisdictions in addressing issues of mutual concern related to compliance with the Phase II Stormwater regulations; to promote a discussion of issues relating to the Phase II Stormwater program facing the aforementioned jurisdictions; to propose recommendations and make reports that identify mutually beneficial solutions to the concerns facing the participating communities; to seek funding sources that may help to accomplish the goals of the Committee and the participating municipalities, and to disburse funds as may be required.

Article II. Membership.

2.1 Participating Members

A. Upon the adoption of a resolution acknowledging their desire to participate in the Committee, the following municipalities shall be considered as participating members in the intermunicipal cooperative.

1. City of Beacon
2. City of Poughkeepsie
3. County of Dutchess
4. Town of Beekman
5. Town of East Fishkill
6. Town of Fishkill
7. Town of Hyde Park
8. Town of LaGrange
9. Town of Pawling
10. Town of Pleasant Valley
11. Town of Poughkeepsie
12. Town of Wappinger
13. Town of Union Vale
14. Village of Fishkill
15. Village of Pawling
16. Village of Wappingers Falls

B. Each resolution acknowledging participation in the Committee shall name a representative, who shall represent the municipality on the Committee and shall have all rights and privileges of each and every member thereon. Each municipality may rename their representative on the Committee as needed.

C. Membership in the Dutchess County MS4 Coordination Committee (DCMS4CC) requires a participating municipality to annually (re-)appoint an elected official or appointee (and one alternate) who will be the voting representative at DCMS4CC meetings AND timely payment of annual membership dues. Failure to (re-)appoint voting representation or timely payment of annual dues may result in the DCMS4CC not extending information or other benefits to the municipality.

2.2. Ex Officio Members

A. The Committee shall include as Ex-Officio members the nine Town Supervisors, five Mayors, Dutchess County Soil and Water Conservation District, Dutchess County Department of Public Works, New York State Department of Transportation, and New York State Department of Environmental Conservation-Division of Water. Such Ex-Officio members of the Committee shall be non-voting members, excepting where a Town Supervisor or Mayor has been appointed to the Committee as a voting member.

B. The Committee may also designate other Ex-Officio members as may be deemed appropriate.

2.3 New Members

Subsequent to the third meeting of the Committee, any municipality or institutional MS4 wishing to participate as an Ex Officio or participating member in the cooperative must be approved for membership by a majority of the voting members of the committee.

2.4 Termination

A municipality may terminate its membership upon adoption of a resolution by the legislative body of that municipality.

Article III. Procedures.

3.1 Quorum

At all meetings of the Committee, the presence of a majority of the whole number of the Committee shall constitute a quorum for the transaction of business.

3.2 Regular Meetings

The Committee shall set the time and place of the meetings, excepting as provided under Section 3.3.

3.3 Special Meetings

Special meetings of the Committee may be called by the Chairman on seven (7) days notice to each Committee member, either personally or by mail. Special meetings may also be called, in a like manner and on like notice, at the request of three (3) or more members of the Committee.

3.4 Voting

A. Each participating member shall be entitled to one vote which shall only be exercised by the individual appointed to serve on the Committee by the Legislative Body of their respective municipality. All issues shall be decided by a simple majority of the quorum at the meeting in which the vote takes place.

B. Each Municipality will be able to appoint a new voting member if the Municipality finds it necessary to do so. This can be done through a resolution or letter submitted to the Committee. The new appointee will then become the municipality's voting member and be allowed to cast a vote on Committee issues. The prior voting member can still attend meetings if permitted by the Municipality, but will no longer be able to cast a vote.

C. Each Municipality will be allowed 1 (one) alternate to their voting member in the case that their voting member is not able to attend a Committee meeting. The alternate must be appointed by the municipality and a resolution or letter submitted to the Committee. Each municipality will still only be entitled to 1 (one) vote on each issue. If both the voting member and the alternate are in attendance at the same meeting, the voting member will cast the vote.

3.5 Powers

The Committee shall have the following powers:

A. To seek, receive, disburse and distribute funding to accomplish the goals of the Organization including grants and donations.
   1. All disbursement of funds shall be approved by a vote as defined in Section 3.4.
   2. Either the Chairman or Secretary shall be authorized to endorse checks on behalf of the Committee.

B. To prepare such reports, studies, publications, recommendations, and other works as may be necessary to accomplish the goals of the Committee.

D. To retain and employ consultants and staff within the limitations of any funding received by the organization.

E. To appoint additional sub-committees as may be advantageous to furthering the goals of the Committee.

3.6 Limitations

The Committee shall not have the power or authority to place any special duty or requirement or financial obligation on any one or more of the participating members.

Article IV. Officers.

4.1 Officers

A. The Committee shall elect by a majority, from amongst its members a Chairman, a Vice-Chairman, and a Secretary.
    1. The Chairman shall preside at each meeting.
    2. The Vice-Chairman shall preside in the absence of the Chairman. The Vice-Chairman shall also have primary responsibility for the finances of the Committee. The Vice-Chairman shall ensure that an adequate balance is maintained, and that accurate records are kept. The Vice-Chairman shall be responsible for balancing accounting reports against all monies allocated.
    3. The Secretary shall be responsible for recording the minutes of all meetings and maintaining a file of the Committee's records.
B. All Officers shall be elected or re-elected annually by the Committee during the March meeting with Nominations occurring at the February meeting. The committee leadership term will be changed to April through March.

C. The Committee may nominate participating members for each leadership position.

Article V. Sub-committees.

The Committee may create such sub-committees as may be needed, whose members shall be appointed by the Committee. The sub-committees shall report directly to the Committee.

Article VI. Amendments.

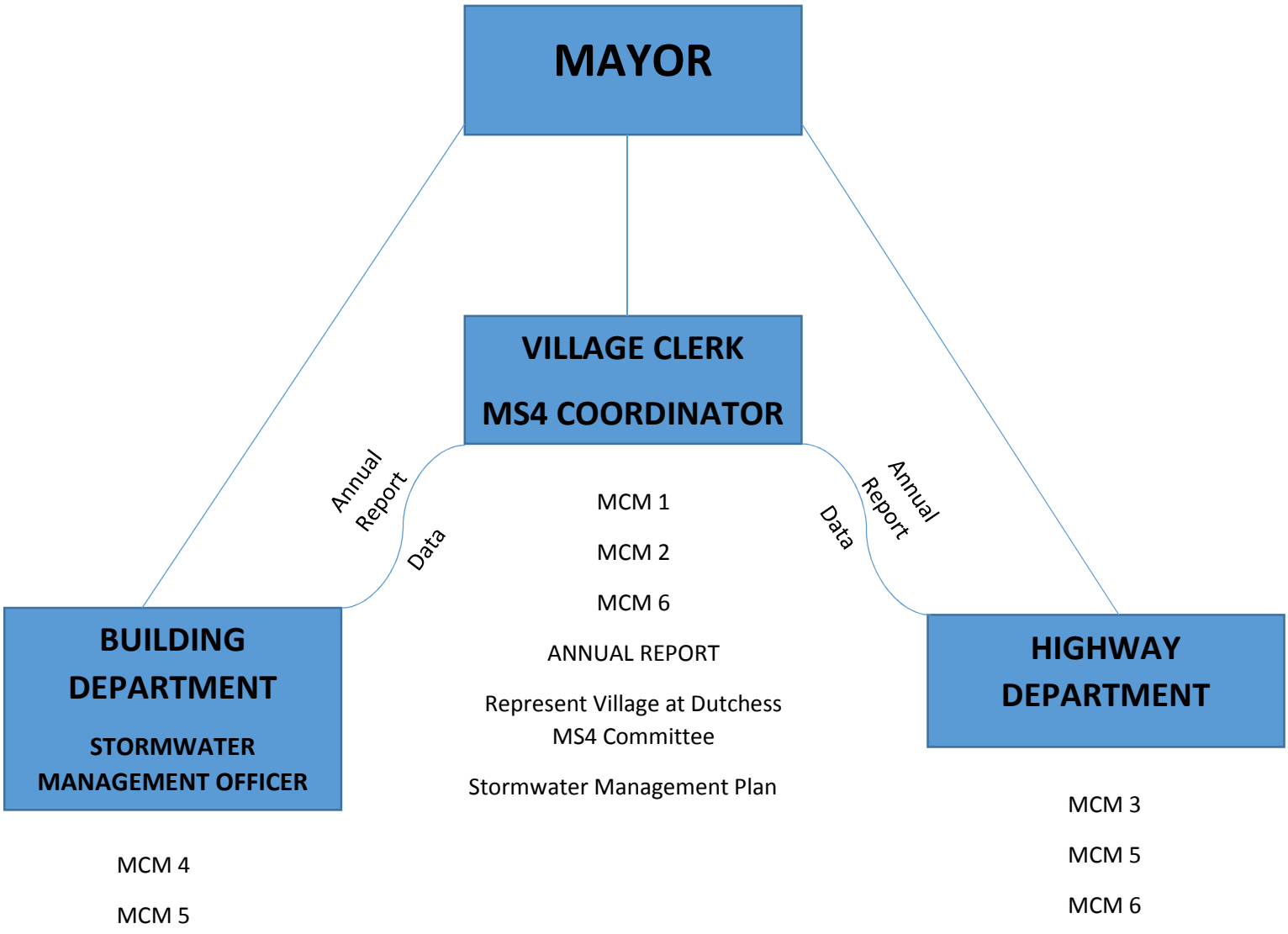
These bylaws may be amended upon an affirmative recommendation of the Dutchess County MS4 Coordination Committee and upon approval of two-thirds of the Committee as constituted. Proposed amendments to the bylaws shall not be proposed and adopted during the same Committee meeting.

Appendix D

Organizational Chart

VILLAGE OF WAPPINGERS FALLS
MS4 STORMWATER MANAGEMENT PROGRAM

MS4 ORGANIZATIONAL CHART



VILLAGE OF WAPPINGERS FALLS
MS4 STORMWATER MANAGEMENT PROGRAM

SUMMARY OF RESPONSIBLE AREAS

VILLAGE CLERK

MS4 COORDINATOR

1. MCM 1: Public Education and Outreach

    a. Public outreach and education.
    b. Coordinate staff education.
    c. DC MS4 Coordinating Committee Representative/and Voting Member.
    d. Village stormwater webpage.

2. MCM 2: Public Involvement/Participation

    a. Public notices for annual reports and stormwater management plan.
    b. Advertise Village cleanups/regional cleanups.
    c. Annual report.
    d. Track and respond to comments on annual report and stormwater management plan.

3. MCM 6: Pollution Prevention/Good Housekeeping for Municipalities

    a. Consider low impact development projects and stormwater retrofits.
    b. Educate contractors and incorporate stormwater best management practices in contracts with third part entities.

VILLAGE OF WAPPINGERS FALLS
MS4 STORMWATER MANAGEMENT PROGRAM

SUMMARY OF RESPONSIBLE AREAS

BUILDING DEPARTMENT

STORMWATER MANAGEMENT OFFICER

1. MCM 4: Construction Site Runoff Control

    a. Coordinate with Village Engineer to confirm SWPPP are reviewed and MS4 SWPPP Acceptance Form are completed for applicable construction projects.
    b. Complete and document construction site compliance inspections.
    c. Educate construction site owners/operators and contractors of compliance requirements.
    d. Confirm contractors performing soil disturbance have received NYSDEC training.
    e. Maintain inventory of active construction sites.

2. MCM 5: Post Construction Stormwater Management

    a. Maintain stormwater management practice inventory.
    b. Perform inspections of existing stormwater management practices.
    c. Maintain records of maintenance and inspections of stormwater management practices.
    d. Implement allowed enforcement actions if maintenance of privately owned stormwater law, stormwater management practices are not completed.

VILLAGE OF WAPPINGERS FALLS
MS4 STORMWATER MANAGEMENT PROGRAM

SUMMARY OF RESPONSIBLE AREAS

HIGHWAY DEPARTMENT

1. MCM 3: Illicit Discharge Detection and Elimination

    a. Coordinate with Coordinating Committee to update Village outfall map as required.
    b. Maintain stormwater collection system inventory/map.
    c. Perform and document outfall inspections.
    d. Document illicit discharges identified and document corrective actions.
    e. Provide illicit discharge training to new employees.

2. MCM 5: Post Construction Stormwater Management

    a. Maintain Village owned/operated stormwater management practices.

3. MCM 6: Pollution Prevention/Good Housekeeping for Municipalities

    a. Comply with SWPPP for Highway Garage.
    b. Perform and document street sweeping.
    c. Inspect catch basins and maintain as required.
    d. Inspect Village owned chemical, petroleum, material storage areas for leaks or transport of materials.

Appendix E

Supporting Documentation for Public Education and Outreach MCM

Dutchess County Soil & Water Conservation District
2715 Route 44, Suite 3
Millbrook, New York 12545

Construction Requirements And Your Development

Courtesy of the Dutchess County Soil and Water Conservation District

How to get stormwater permit coverage on your project

September 2014

Moving Dirt in Dutchess

Polluted Runoff: A Dirty Secret

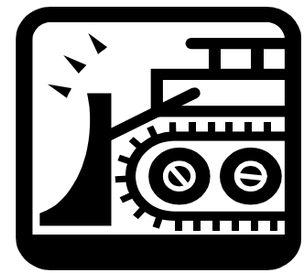
Stormwater flows from rooftops, over paved areas, bare soil and sloped lawns, while collecting and transporting a variety of materials on the way, including soil, fertilizer, oil, debris and other potential pollutants. Polluted runoff degrades our lakes, streams, wetlands and Hudson River.

It's Sedimentary, My Dear Watson

Construction sites contribute sediment to local waterbodies. In order to reduce the sediment load, owners and operators are required to develop and implement a Stormwater Pollution Prevention Plan that fits the activities of the construction site and is successful at reducing polluted runoff.

All projects that disturb one acre or more require coverage under NYS DEC's permit.

ADDITIONAL LOCAL REQUIREMENT MAY VARY*



What Do I Need To Do?

If your construction project will disturb more than an acre of soil, and it involves:

- Building a single-family home on a single lot, or
- A residential subdivision of less than 5 acres soil disturbance,

The site operator must:

1. Develop a Basic Stormwater Pollution Prevention Plan (SWPPP) in accordance with the New York Standards and Specifications for Erosion and Sediment Control.
2. Submit a Notice of Intent, based on the plan, to the DEC or to the municipality*.
3. Begin construction after a 5 business day DEC review period.

In addition, if the project involves:

- Disturbance of 5 acres or more of soil, or
- Construction of anything other than single-family homes, such as apartment complexes, condos, offices, or commercial or industrial buildings,

The site operator must:

- Develop a Full SWPPP with water quality treatment and quantity control as well as erosion and sediment control.
  - If it conforms to the New York State Stormwater Management Design Manual, submit a NOI, based on the SWPPP, to the DEC or to the municipality* and begin construction after a 5 business day DEC review period.
  - If it does not conform to the New York Stormwater Management Design Manual:
    1. Have the Full SWPPP certified by a licensed professional.
    2. Submit the NOI to the DEC.
    3. Begin construction after the 60 business day DEC review period.

Definitions

Who is considered a licensed professional?

A licensed engineer, Certified Professional in Erosion and Sediment Control (CPESC), or licensed landscape architect are considered licensed professionals qualified to develop and/or certify a SWPPP.

Who is the owner/operator?

The operator is the person, persons, or legal entity which owns or leases the property where the construction occurs.

Forms and document referenced in this brochure may be obtained through the DCSWCD office, or at DEC's stormwater webpage http://www.dec.ny.gov/chemical/43133.html#subject

If you have any questions about construction stormwater regulations , please call the Dutchess County Soil and Water Conservation District office at (845) 677-8011 ext. 3.

This brochure was made possible though funding from the Dutchess County MS4 Coordination Committee.

What if I'm working in…

Municipalities: The municipalities listed below require the owner or operator to obtain a separate permit before construction begins. Other municipalities may have different requirements or acreage thresholds so be sure to check with the municipality.

Beacon
Beekman
East Fishkill
Fishkill (Town and Village)
Hyde Park
La Grange
Pawling (Town and Village)
Pleasant Valley
Poughkeepsie (Town and City)
Wappinger
Wappingers Falls

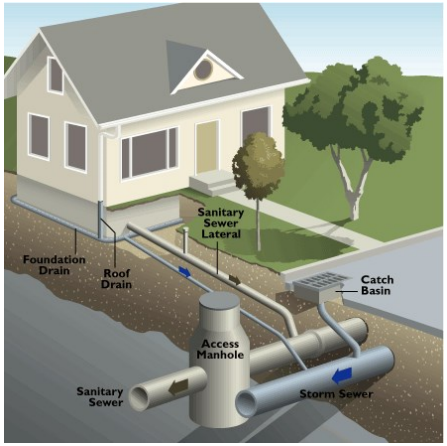
What's the difference?
Sanitary Sewer vs. Storm Drain

The water that drains down a sink or toilet in a home or business flows to the sanitary sewer and associated wastewater treatment plant or individual septic disposal system for treatment.

A storm drain system, on the other hand, is designated to carry rainwater from streets and driveways to prevent flooding. **The stormwater may not receive any treatment**. It flows directly into area streams, rivers, and lakes.

Unfortunately, as rainfall flows over the ground it picks up debris and pollutants and deposit them into our water bodies. Some of the pollutants that are commonly transported in the storm drain system include:

- Sediments
- Road Salt
- Fertilizers and Pesticides
- Metals
- Detergents
- Trash and Debris
- Oil and Grease
- Bacteria and Viruses



To Report Illegal Dumping or Discharges:

Call your local Highway Department

For Spill Emergencies:

Call your local Fire Department

For Soil Testing Prior to Applying Fertilizers:

Contact Cornell Cooperative Extension-Dutchess County: 845-677-8223 x115

For Stormwater Pollution Prevention Employee Training:

Call Dutchess County Soil and Water Conservation District

For more information, check out these websites:

Dutchess County Soil and Water Conservation District: www.dutchesswcd.org

NYS Department of Environmental Conservation: Division of Water Stormwater page: www.dec.ny.gov/chemical/8468.html

US Environmental Protection Agency: National Pollutant Discharge Elimination System: www.epa.gov/npdes/stormwater
Polluted Runoff – Nonpoint Source Pollution: www.epa.gov/nps

US Department of Agriculture - Natural Resources Conservation Service: Backyard Conservation: www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/features/?&cid=nrcs143_023574

Center for Watershed Protection: www.cwp.org

Dutchess County Soil and Water Conservation District
2715 Route 44, Suite 3
Millbrook, New York 12545

Phone: 845-677-8011 x3
Fax: 845-677-8354

This brochure was printed with funding provided by the Dutchess County MS4 Coordination Committee

This brochure was prepared with funding provided by the New York State Department of Environmental Conservation - Hudson River Estuary Program.

Preventing Stormwater Pollution

How you can help protect water quality

Tips for Commercial and Industrial Businesses

If your business is in one of the Dutchess County municipalities listed below, the community you work in has been designated a **regulated MS4** (Municipal Separate Storm Sewer System) under the Phase II Stormwater Regulations.

City of Beacon
Town of Beekman
Town of East Fishkill
Town of Fishkill
Village of Fishkill
Town of Hyde Park
Town of LaGrange
Town of Pawling
Village of Pawling
Town of Pleasant Valley
City of Poughkeepsie
Town of Poughkeepsie
Town of Wappinger
Village of Wappingers Falls

This means that the municipality in which you work needs a permit under the State-wide Pollutant Discharge Elimination System (SPDES) in order to discharge stormwater. Each MS4 community needs help from each resident and business to minimize the impacts on stormwater runoff and thus your area streams, lakes, and rivers.

How You Can Help

The following are simple, but effective, things you can do at your workplace to protect and improve the water quality of our streams, lakes, and rivers through stormwater pollution prevention.

General

⇒ Regularly sweep and collect debris around your site, **do not hose down sidewalks or parking lots**
⇒ Train employees to recognize the impact they have on water quality
⇒ **NEVER** dump anything down a storm drain
⇒ Report any illegal dumping to a storm drain—call your local Highway Department

Landscaping

⇒ Only irrigate during early morning to avoid evaporation (it's also better for your plants)
⇒ Aim sprinklers to avoid watering non-target areas
⇒ Time sprinklers to avoid over watering and causing runoff onto paved areas
⇒ Get your soil tested prior to applying fertilizers **Save money by using only what's needed**
⇒ Minimize pesticide, herbicide, and fertilizer use. Always follow the manufacturer's instructions

Outdoor Material Storage

⇒ Store all potential pollutants indoors or under a covered area or secure tarp
⇒ **Clean up all spills immediately!** Use dry absorbents as necessary and dispose of waste materials properly. Protect the storm drains closest to the spill
⇒ Keep lids on all storage containers
⇒ Label all material storage containers
⇒ Regularly sweep and clean all outdoor storage areas to remove dirt and debris

Waste Management

⇒ Keep the ground around all outdoor garbage and dumpster areas free of trash, sediment, and debris
⇒ **Close the lids on dumpsters and trash cans after every use**
⇒ Do not use dumpsters for liquid wastes. They are rarely leak-proof
⇒ Clean up all spills immediately!

Winter Road/Lot Maintenance

⇒ Properly calibrate equipment to prevent excessive sand/salt use

⇒ Salt storage facilities should be covered and rainproof. Take precautions to prevent sand/salt from entering storm drains

General Cleaning

⇒ Minimize the use of cleaning agents
⇒ Switch to more environmentally friendly cleaning products
⇒ Dispose of waste wash water to sanitary sewer not to storm drains

Vehicle/Equipment Maintenance

⇒ Perform all vehicle maintenance indoors when possible. If not, use a drop cloth or tarp
⇒ **Use drip-pans to collect leaking fluids**
⇒ Clean up all spills immediately! Use dry absorbents as necessary and dispose of waste materials properly

Vehicle/Equipment Washing

⇒ Wash vehicles at a commercial car wash when possible (their wastewater drains to the sanitary sewer)
⇒ If you must wash onsite, wash vehicle over a pervious (absorbent) area such as dirt, gravel or grass to prevent runoff
⇒ Minimize the use of soaps and water while washing. **Use biodegradable soaps**

Roof Runoff Management

⇒ Direct gutter downspouts to a vegetated or grassed area instead of pavement
⇒ **Do not store anything on your roof**

Preventing Pollution Is Good Public Relations

Let your customers know what you're doing to minimize stormwater pollution. It shows them that you're a good neighbor. Encourage your customers and other businesses to do the same.

Don't litter. Recycle or dispose of trash properly.

This includes not only metals, plastics, paper, and glass, but also hazardous materials such as batteries, paints, and other household chemicals. Contact Dutchess County Resource Recovery at (845) 463-6020 to find out about County hazardous waste days, or visit their website at www.dcrra.org for more information.

Gutters and sump pumps

Collect roof runoff in rain barrels, and then utilize this water later on to water your garden. Rain barrels to which you can hook up a garden hose can be purchased or constructed. **OR**

Direct water to grassy or vegetated areas rather than down the driveway and into the street. Lawns will soak up much of the water and cleanse it of pollutants.

Pet waste

Flush it down the toilet. Animal waste material is rapidly absorbed by rainfall and carried into storm drains. The nutrients in it encourage the growth of pathogens and harmful bacteria in our waterways.

Swimming Pools

Before you drain your pool, test the water to make sure that chlorine is not detected. Then direct the drainage to a sanitary sewer, if possible.

Outdoor chemicals

Always store chemicals and cleaning products in a covered area, where any leaks can be contained.

Septic systems

Have your septic inspected at least every two years. A malfunctioning septic system can contaminate not only groundwater, but surface water as well. Generally, septic tanks must be pumped every 3 to 5 years at a minimum.

Don't plant trees or park vehicles over your septic absorption field—this can damage the pipes and lead to leaks.

Refrain from pouring any household chemicals, gasoline, oil, pesticides, or antifreeze down the drain or into toilets; these substances will inhibit the action of bacteria that keep the septic tank system functioning. Additionally, avoid disposing of diapers, cat litter, coffee grounds, cigarettes, feminine hygiene products, and grease into a septic system; they will clog the system's components.

For more information, check out these websites:

Dutchess County Soil and Water Conservation District:
www.dutchessswcd.org

New York State Department of Environmental Conservation: Division of Water Mainpage
www.dec.state.ny.gov/about/661.html
Phase II Stormwater Requirements
www.dec.state.ny.gov/chemical/8468.html
Phase II General Permits and Information
www.dec.state.ny.gov/chemical/43150.html

United States Environmental Protection Agency: National Pollutant Discharge Elimination System
www.epa.gov/npdes/stormwater
Polluted Runoff – Nonpoint Source Pollution
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US Department of Agriculture—Natural Resources Conservation Service: Backyard Conservation
http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/features/?cid=nrcs143_023574

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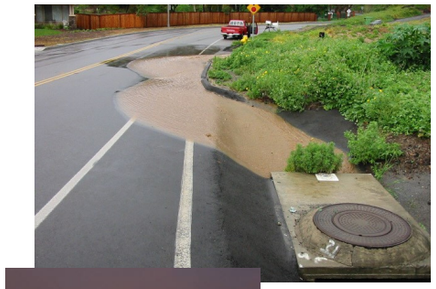
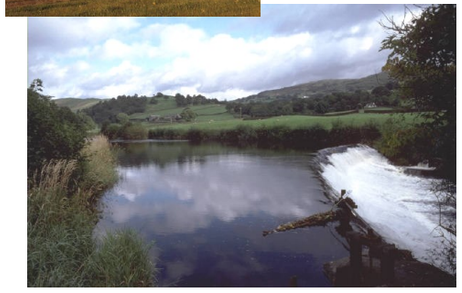
Preventing Stormwater Pollution



Tips for Home Owners



How you can help protect water quality in your community

What's the big deal about stormwater?

If you live in one of the Dutchess County municipalities listed below, your community has been designated a **regulated MS4** (Municipal Separate Storm Sewer System) under the new Phase II Stormwater Regulations.

City of Beacon	Village of Pawling
Town of Beekman	Town of Pleasant Valley
Town of East Fishkill	City of Poughkeepsie
Town of Fishkill	Town of Poughkeepsie
Village of Fishkill	Town of Union Vale
Town of Hyde Park	Town of Wappinger
Town of LaGrange	Village of Wappingers Falls
Town of Pawling	

This means that the town, city or village in which you live needs a permit under the State-wide Pollutant Discharge Elimination System (SPDES) in order to discharge **stormwater**. **Stormwater runoff** is the rainwater that falls onto lawns, rooftops, roads, driveways, parking lots, and other outdoor surfaces, and is not soaked up by the soil.

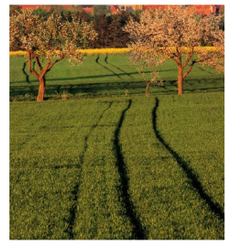
What happens to all of this water? Most of it flows into storm drains, which often flow directly into a stream or lake, and ultimately, to a river such as the Hudson. It can carry with it sediment, trash, oil and hydrocarbons, metal, nutrients such as phosphorus and nitrogen, potentially harmful bacteria, and toxic substances into these water resources. This water may then become muddy, harmful to fish and wildlife, and unsafe for recreation. This is known as **nonpoint source pollution**. Although you may think of a stormwater discharge pipe as a point source because the outflow enters a stream at a single point, contaminants in the pipe are accumulated from all over the surface of the **watershed** (area of land drained by a given stream or outfall pipe). Rain or snowmelt picks up pollutants and carries them downhill in pathways that flow together to one location.

How can I minimize stormwater pollution?

Many people do not realize it, but there are a number of simple things that homeowners can do to minimize water pollution.

Home repair

If you are a do-it-yourselfer, use non-toxic, biodegradable products. Before you begin an outdoor project, locate storm drains and be sure that they are protected from any materials that the work may produce, including mortar, concrete, debris, and other substances. Paint brushes and other application tools should be cleaned indoors rather than washed outside with the hose.



Your lawn and yard

When applying pesticides, do so in dry, calm weather. Follow the recommended application rate on the label.

Spread grass clippings back on the lawn. This returns nutrients to the soil. Otherwise, sweep up yard waste rather than spraying it off the driveway with a hose. Plant debris can be used as mulch or turned into compost.

Don't apply fertilizer right before rain, it will be washed out and wasted. It takes time for biochemical processes in the soil to incorporate fertilizer.

Select native grasses and other plants—they tend to require less water and less fertilizer.

Test your soil - do you really need fertilizer?

Good farmers test their soil before they invest in fertilizer or manure. Find out the blend of nutrients your lawn needs. Call Cornell Cooperative Extension for an inexpensive soil test, at (845) 677-8223 x115. Excess fertilizer is not taken up by plants, but runs off into streams and lakes, where it leads to algae growth and fish kills. Fertilizer can also leach into groundwater, the drinking water supply for most of Dutchess County.

Conservation planting

When soil is washed off the surface of the land and into a water body, it becomes a pollutant itself. If you have planted grass seed in a bare soil area, keep it covered with a tarp or burlap until germination occurs, especially during the winter. Don't mow your lawn to the edge of a stream—maintain trees and shrubs near the edge of the bank. These plants have deeper roots more capable of holding soil in place.

Washing your vehicle

Do it on the lawn, not in the driveway. Soaps and accumulated "dirt" can harm our waterways, but lawns filter out these contaminants. **OR**

Better yet, go to a car wash where the dirty water can be properly discarded.

Maintaining your vehicle

Use only as much windshield washer fluid as you really need.

Check periodically for leaking oil, gasoline, engine coolant, and transmission, brake, and power steering fluids.

Use cat litter, sand, or other absorbent material to clean up oil or chemical spills.

Don't pour used automotive liquids into storm drains—have them recycled.

Rain Garden Plants

Choose plants that have a variety of heights, textures and bloom times. It is important to select plants that can tolerate both wet and dry conditions, and that are suited to the sun/shade exposure of your garden.

Below are some good examples of plants to use in YOUR rain garden. They are all NATIVE to NEW YORK STATE and are able to tolerate periodic flooding.

Andropogon gerardii	*Lobelia siphilitica*
Big Bluestem	Great Blue Lobelia
Aquilegia canadensis	*Mertensia virginica*
Columbine	Virginia Bluebells
Asclepias incarnate	*Monarda didyma*
Swamp Milkweed	Beebalm
Aster novae angliae	*Onoclea sensibilis*
New England Aster	Sensitive Fern
Chelone glabra	*Oneothera fruticosa*
White Turtlehead	Narrow Sundrops
Chelone oblique	*Osmunda cinnamomea*
Pink Turtlehead	Cinnamon Fern
Cimicifuga racemosa	*Osmunda regalis*
Black Snakeroot	Royal Fern
Eupatorium fistulosum	*Panicum virgatum*
Joe Pye Weed	Switch Grass
Geranium maculatum	*Rudbeckia laciniata*
Cranesbill	Green-headed Coneflower
Iris versicolor	*Solidago rugosa*
Blue Flag Iris	Rough Goldenrod
Lobelia cardinalis	*Tiarella cordifolia*
Cardinal Flower	Foamflower

How **MUCH** does it cost?

The cost of a rain garden is based on several factors including:

- The area of the rain garden
- The depth of the rain garden
- Whether or not the soils found on site can be used in the garden (if they are less than 10% clay)
- If curb cuts are required to direct the flow from a roadway or parking lot into the garden
- If the site requires an underdrain (a perforated pipe placed under the rain garden in order to receive a desired discharge rate)
- If you are going to design and install the garden yourself or use contractors

If you grow your own plants or borrow plants from neighbors there can be very little or no cost at all. If you do all the work but use purchased prairie plants, a rain garden will cost approximately $3 to $5 per square foot. If a landscaper does everything, it will cost approximated $10 to $12 per square foot.

It might seem easiest to sow native wildflower seed over the garden, but experience shows that seeding a rain garden has its problems. Protecting the seeds from wind, flooding, weeds, and garden pests is very difficult, and the rain garden will be mostly weeds for the first two years. Growing plugs from seed indoors or dividing a friend's plants is much better. If you grow plugs, start them about four months before moving them to the rain garden. When the roots have filled the pot and the plants are healthy, they may be planted in the rain garden.

Dutchess County Soil and Water Conservation District

2715 Route 44, Suite 3

Millbrook, New York 12545

Phone: 845-677-8011 x3

Fax: 855-401-1959

http://dutchessswcd.org

This brochure was printed with funding provided by the Dutchess County MS4 Coordination Committee

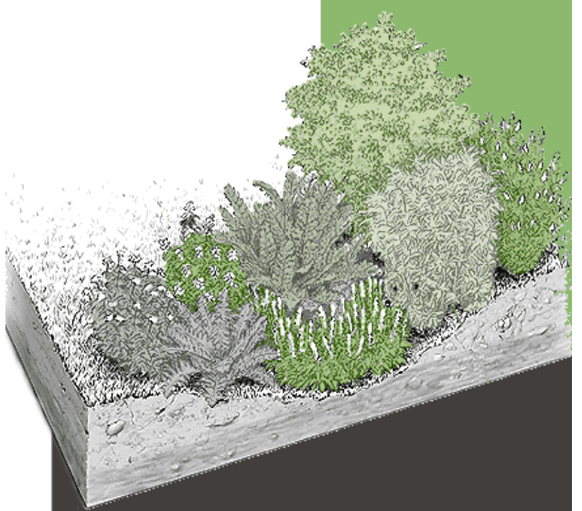
DCSWCD would like to thank the Greene County Soil and Water Conservation District for use of this brochure.

Rain Gardens

Gardening with

Water Quality

In Mind



Enhancing *your home* landscape and improving water quality in **YOUR** community

What **IS** a Rain Garden?

A rain garden is a natural or dug shallow depression designed to capture and soak up stormwater runoff from your roof or other impervious areas around your home like driveways, walkways, and even compacted lawn areas. They can be used as a buffer to shoreline areas to capture runoff from the home landscape before it enters a lake, pond, or river. The rain garden is planted with suitable trees, shrubs, flowers, and other plants allowing runoff to soak into the ground and protect water quality.

Rain is natural; stormwater isn't.

Stormwater runoff is considered one of the main sources of water pollution nation-wide. Stormwater runoff can result in:

- Overall reduction in groundwater charge
- Long-term lowering of groundwater tables and loss of stream flow during dry weather
- Increased erosion
- Increased water quality impacts caused by pollutants in stormwater runoff
- Flooding—especially more frequent "flash flooding"

Rain gardens are an inexpensive, simple to implement and environmentally sound solution to urban stormwater runoff.

A rain garden will:

- Filter runoff pollution
- Recharge local groundwater
- Conserve water
- Improve water quality
- Protect rivers and streams
- Remove standing water in your yard
- Reduce mosquito breeding
- Increase beneficial insects and eliminate pest insects
- Reduce potential of home flooding
- Create habitat for birds and butterflies
- Survive drought seasons
- Reduce garden maintenance
- Enhance sidewalk appeal
- Increase garden enjoyment

Knowing the basics to building a rain garden

- **Before you dig the garden *call the power company!*** Or call Dig Safe NY (1-800-962-7962) to locate any underground utility lines!

- **Put the garden at least 10 feet from the house to keep your foundation dry.**
  - A low area can work. Native plants will break up the soil and allow infiltration.
  - Border gardens are usually more attractive than circular gardens in the middle of the yard.

- **Make the garden 150-300 square feet**
  - Aesthetics and maintenance should determine the size of a home garden. Even an undersized garden will do a lot of work to infiltrate water.
  - If the soil is clay, the garden should be large and shallow; If the soil is sandy, any size or depth is okay.
  - Rule of thumb for sizing a rain garden: Make the garden 30% of the roof area if the soil is clay, 20% if sand.

- **Make the bottom of the garden flat.**
  - It should look like a saucer, not like a bowl. This allows infiltration everywhere and reduces the likelihood of standing water.
  - If you know someone with a surveyor's level, that'll make the job much easier.

- **Make a low berm around the garden to hold water.**
  - The garden only needs to be about 3-inches deep.
  - Think about where the garden will overflow during the heaviest rainfall. It should empty away from the house, not toward it.

- **On slopes you may need a small terrace wall.**
  - The downslope wall should be half as high as the rise to the top of the slope.
  - On steep slopes, plant natives directly on the hill without digging a depression. The plants will infiltrate runoff. A tall retaining wall can fail *catastrophically* if it gets too wet.

- **Water transport.**
  - If your garden is in a natural low area, just direct your downspouts toward the garden.
  - You can dig small swales that lead from the downspout to the garden. Plant the swales with grass or line with rocks.
  - Buried pipe from the downspout to the garden is another option.

- **Digging the garden.**
  - It's usually not too expensive to hire someone to prepare the site.
  - If you dig by hand, take your time and enjoy the work.
  - Mix in compost if you feel like it. Compost absorbs water, but it can encourage too-tall plants.

- **Use native plants.** The long roots infiltrate water.
  - 1 plant per square foot.
  - 15 different species, or more. Avoid cultivars (i.e., named varieties).
  - 30-50% sedge (some grasses work, too). They help the plants stand up.
  - Choose plants mostly based on their height and on their light requirements.

- **Maintenance.**
  - Cover with wood chip mulch the first year.
  - Water the first year.
  - Weed the first 2-3 years. Minor weeding thereafter.
  - In winter, leave the dry stems for habitat and seeds. Cut them down in April and compost them.

- **Enjoy!**
  - Your garden will not only infiltrate and clean stormwater, but provide wildlife habitat, too.

About this brochure...

This brochure is one of a series of brochures dedicated to raising awareness of pollution prevention to protect water quality. The following landscaping practices will help minimize water pollution while providing your customers a healthy and attractive lawn and landscape.

Professional Landscaping Associations

New York State Turfgrass Association (NYSTA)
(www.nysta.org)

New York State Turf and Landscape Association (NYSTLA)
(www.nystla.com)

New York State Nursery Landscape Association (NYSNLA)-Region 2
(www.nysnla.net)

Professional Lawn Care Association of America
(www.plcaa.org)

For more information about stormwater management practices, please visit:

Dutchess County Soil and Water Conservation District
http://dutchessswcd.org

New York State Department of Environmental Conservation
Division of Water
www.dec.ny.gov/chemical/290.html

United States Environmental Protection Agency
Nonpoint Source Pollution
www.epa.gov/nps

Center for Watershed Protection
www.cwp.org

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Clean Water Campaign
40 Courtland Street, NE
Atlanta, Georgia 30303

Dutchess County Soil and Water Conservation District
2715 Route 44, Suite 3
Millbrook, New York 12545
Phone: 845-677-8011 x3
Fax: 845-677-8345
http://dutchessswcd.org/

Contact DCSWCD for more information and/or if you would like to host or attend a stormwater pollution prevention and/or soil erosion and sediment control training.

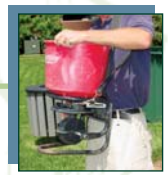
Solutions to Water Pollution for the COMMERCIAL LANDSCAPING & LAWN CARE INDUSTRY

Did you know that some of your landscaping and/or lawn care practices may not be as "green" as you think? Lawns and landscaped areas have the potential to be sources of water pollutants such as nutrients, pesticides and organic materials.

Design and Installation

- Design a landscape that reduces runoff and encourages natural infiltration of rain.
  - Minimize impervious areas.
  - Do not allow bare soil areas in the landscape.
  - Incorporate existing native vegetation into the landscape design when possible and select plants best adapted to the local climate, soils and growing conditions.
  - Choose turf grass that is heat and drought tolerant.
- Protect streams and waterways and reduce erosion by leaving an undisturbed vegetative buffer along stream banks.
- Do not plant hard-to-mow areas such as steep slopes in turf grass. Use ground covers, trees, shrubs or other perennials to reduce plant maintenance.
- Schedule grading and excavation projects during dry weather.
- Mulch or seed areas that lie idle after land disturbing activities.
- Prior to hydro seeding, cover all storm drains to ensure the material does not get washed into streams, rivers and lakes.

Applying Fertilizer



- Apply only the amount of fertilizer that the turf or plant requires.
- Test area soil prior to application to assure proper fertilizer and lime applications. Contact Cornell Cooperative Extension Dutchess County (845-677-8223) to get soil tested and analysed.
- Do not apply fertilizer if heavy rain is predicted.
- Avoid fertilizing during periods of limited rainfall. Fertilizers are chemical salts and can dehydrate drought-stressed plant roots.
- Use slow-release forms of nitrogen, such as urea formaldehyde, IBDU or sulfur-coated urea.
- Use organic fertilizers if possible.
- Select a fertilizer with low or no phosphorus, most lawns already contain enough. Excess phosphorus is the primary culprit of algae blooms in waterbodies.
- Calibrate fertilizer spreaders and application equipment to ensure proper rates are applied.
- Around waterways, use a deflector shield with spreaders. Avoid throwing granules in water and leave a three-foot buffer of unfertilized turf.
- Minimize the amount of fertilizer applied to non-target areas by closing the spreader when passing over paved surfaces.
- If fertilizer is spilled or lands on paved surfaces, sweep it up and apply it to the lawn.

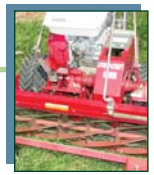
Applying Pesticides

- Read the pesticide label BEFORE you purchase, handle or apply it. The label provides safe usage and storage information. It is dangerous and illegal to not use as directed.
- Obtain a NYSDEC Pesticide Applicator certification. For more information go to www.dec.ny.gov/chemical/298.html

Integrated Pest Management

- Integrated Pest Management (IPM), a practice used by leading professional landscape companies, integrates a regular monitoring program with correct diagnosis of pest problems. It promotes the use of cultural, biological and mechanical means of controlling pests. And, it advocates intervention with pesticides only when necessary to avoid serious damage.
- The key to a successful IPM program is frequent inspection and accurate diagnosis of pests.
- Consult Cornell Cooperative Extension Dutchess County (845-677-8223) for assistance in identifying pests or selecting the best management option.
- Cultural control methods include proper planting methods, plant selection and maintenance practices such as using pest-resistant plant varieties.
- Mechanical control consists of practices like trapping or destroying pests by hand, pruning infested plant parts and mulching to prevent weed growth.
- Biological control methods are already in place in nature in the form of predator-prey relationships. Certain flowering plants and wildlife enhancements can attract insect-eating predators that can naturally control pest problems.

Management of Grass Clippings



- Properly maintained turf grass improves soil structure, stabilizes topsoil and reduces erosion and runoff.
- Avoid mowing below 3 inches in grass height. Taller grass is healthier and has fewer weeds. Use a mulching mower when possible.
- Don't blow, sweep or dump grass clippings or leaves into the street, down storm drains or drainage ditches.
- Compost plant clippings, leaves, excess grass clippings and other plant material, or bag them for curbside pickup.
- Recycle grass clippings. Clippings can provide up to 30 percent of the total fertilizer needs.
- Mulching leaves into the turf with a mulching mower can also be beneficial.
- Reuse compost in your landscape maintenance. The use of compost improves soil texture and structure, moisture retention and adds valuable nutrients.

Consumer Education

- Tell your client the benefits of grass clipping recycling. Lawn clippings left on the ground can provide nutrients and lower the amount of fertilizer required by 25 percent or more.
- After each service visit, leave a ticket telling the customer what pests were detected, any other problems and recommendations for management. Explain in detail the corrective actions taken to ensure approval of the management practices used.
- Maintain membership(s) in a professional landscaping organization(s) to stay current on maintenance methods and the newest plant varieties available. Become a certified professional and advertise this fact to your customers.

Excess phosphorus and sediment is an existing problem in many Dutchess County waterbodies. Please take the above steps to help improve your environment.

What Goes In Must Come Out

Stormwater is naturally occurring water (e.g. rain and snow) that isn't absorbed by the ground. It may also be referred to as "runoff."

Above: Sediment-laden water flowing down into a catch basin.
An average catch basin is just the first stop for water and all it encounters in the storm sewer system.

Beacon Beekman Hyde Park
Dutchess County DPW
Dutchess County
MS4
Coordination Committee
East Fishkill Town & Village of Fishkill
LaGrange Village of Wappingers Falls
Town & Village of Pawling Pleasant Valley
Wappinger City & Town of Poughkeepsie

http://www.dutchessswcd.org/stormwater.htm

One person's impact may not seem like much…but our community's impact can be quite large!

For more information, please contact your municipality at:

Only Rain Down the Drain!

Understanding the Connection Between Catch Basins and Local Water Bodies and Water Courses

Presented by the Dutchess County MS4 Coordination Committee

Basin Basics

Runoff, before going down catch basins and through storm sewers, picks up pollutants from a number of domestic sources. It's important to know that we affect this water quality and how, as it returns to waterways.

The Catch Basin is the "tip of the iceberg." Most of our facilities to handle Stormwater are below the ground. The below ground parts are the storm sewers. They deliver Stormwater directly to our waterways with out much or any treatment to remove the pollutants.

So, that's what we mean when we say "What Goes In Must Come Out!"

All this will end up...

...Here, if we let it.

Sources of Pollution

- Litter/Debris/Lawn Waste
- Automobile Oil, Grease, and Chemicals
- Bacteria found in pet waste
- Fertilizers
- Pesticides
- Herbicides
- Improper Connections to Local Sewage Systems

Ways to Reduce it.

- Compost yard waste
- Use commercial carwashes
- Clean up after your pets
- Reduce application of pesticides, herbicide s, and fertilizers
- Properly handle and dispose of hazardous chemicals
- Champion litter reduction in your neighborhood

INSITE
ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

Village of Wappingers Falls
MS4 Training
August 6, 2015

	Print Name	Position/Department/Phone #/email	Signature
1	Bryan Murphy	Building Inspector BMurphy@wappingersfallsny.gov	
2	John Kozak	village DPW water operator Skideuce@AOL.com	
3	William C Bailey Jr.	DPW	
4			
5			
6			
7			
8			
9			
10			

Village of Wappingers Falls MS4 Program

Local Stormwater Contact: John Karge

Stormwater Management Officer: Bryan Murphy

MS4 Consultant: Insite Engineering, Surveying, & Landscape Architecture, P.C.

MS4 Partner: Dutchess County MS4 Coordinating Committee

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

WHAT IS AN MS4?

Municipal

Separate

Storm

Sewer

Systems

- Municipal Separate Storm Sewer System is defined as:
  - Any stormwater conveyance or system of conveyances (including roads with drainage) that are owned or operated by a State, city, town, village, ...
  - Example: Catch Basins
  - If you are an MS4, get a permit to discharge stormwater.
  - Permit is about improving stormwater quality.

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

HISTORY AND REGULATORY BACKGROUND

- The 1948 Clean Water Act (CWA) established the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters
- The 1972 CWA made it unlawful to discharge any pollutant from a source into navigable waters, unless a permit was obtained
- The 1987 amendments to the CWA required a phased approach to address water quality degradation caused by stormwater
  - Phase I (1990) Regulated Medium and Large MS4's
    - Incorporated places or counties with a population >100,000
    - 11 categories of industrial activity
      - One is construction activities with >5 Acres of disturbance
  - Phase II (2002)
    - Expanded to include small MS4's located in automatically or additionally designated areas, and construction sites disturbing >1 acre

2

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SPDES PHASE II PROGRAM

- In New York State, NYSDEC is the delegated permitting authority and issues permits under the SPDES Program.
  - SPDES = State Pollutant Discharge Elimination System
- SPDES Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity – GP-0-12-001
- SPDES General Permit for Construction Activity – GP-0-15-002
- SPDES General Permit for Municipal Separate Storm Sewer Systems (MS4) – GP-0-15-003

3

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3 CATEGORIES OF MS4'S

- Traditional Land-Use Control
  - City, Town or Village with land-use control authority
- Traditional Non-Land Use Control
  - Any County agency without land use control
- Non-Traditional
  - State and Community Colleges, School Districts
  - DOT, Thruway, County Highway Departments
  - Other State Agencies, Authorities
  - Airports,
  - Post Offices, VA Hospitals, Military Bases, Prisons
  - Water, Sewer, and other special districts

4

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MS4 PROGRAM REQUIREMENTS

1) Submit Notice of Intent (NOI)
2) MS4 operators must implement a stormwater management program (SWMP) that:
   - Contains the **six minimum control measures**
   - Utilizes approved **Best Management Practices** (BMP's)
   - Implement program to **Maximum Extent Practicable**
3) Record Keeping
4) Annual Report

5

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

SIX MINIMUM CONTROL MEASURES (MCM)

1) Public education and outreach (w/DCCC)
2) Public participation and involvement (w/DCCC)
3) Illicit discharge detection and elimination
4) Construction site runoff
5) Post-Construction Stormwater Management
6) Pollution Prevention and Good Housekeeping

6

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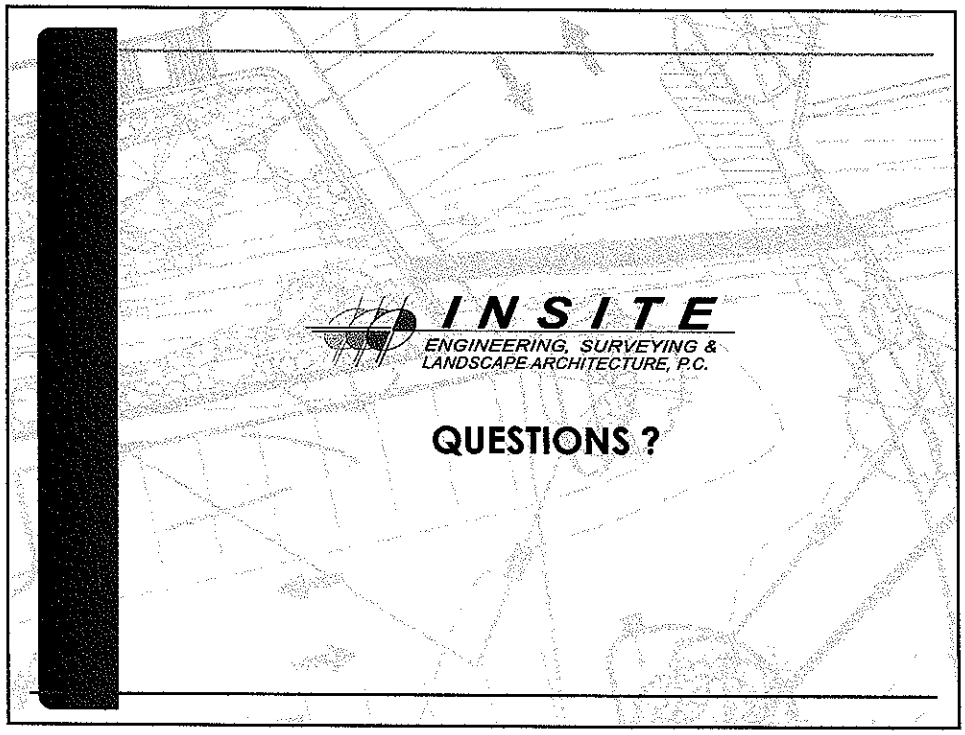
MCM 1: PUBLIC EDUCATION AND OUTREACH

- **Identify:**
  - Pollutants of Concern (POC)
  - Waterbodies of Concern
  - Geographic areas of concern
- **Who is defined as the public?**
  - For school districts, it is the students, faculty, and staff

7

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.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ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.
QUESTIONS ?

Mid Hudson Valley Chapter NYSBOC
2014

President – Steve VanBuren **Vice President – Tom Corrao**
Treasurer – Judith Knauss **Secretary – Susan Dao**
Delegate – Bruce Thompson **Past President – Mark Liebermann**
Historian – Glen Sneyd

Chapter Member 2005

INTERNATIONAL CODE COUNCIL®

Founding Member

Affiliated with New York State

CODES DIVISION
DEPARTMENT OF STATE

May 14TH, 2014 Meeting Notice

2014 MEMBERSHIP APPLICATIONS ARE DUE

The next Chapter monthly meeting will be held on
Wednesday May 14th, 2014

Start time is 11:30 AM for the meeting at
GREEN HAVEN CORRECTIONAL FACILITY EMPLOYEE PAVILLION
LOCATED BEHIND THE PRISION ON S. GREEN HAVEN ROAD, ½ MILE IN FROM ROUTE 216 ON THE RIGHT HAND SIDE. LOOK FOR SIGN COMING FROM RT. 55 (BEEKMAN/POUGHQUAG) ROUTE 216 EAST APPROX. 3.1 MILES. MAKE LEFT ON S. GREEN HAVEN ROAD THEN ½ MILE ON RIGHT
COMING FROM RT. 52 (HOPEWELL/STORMVILLE) ROUTE 216 WEST MAKE RIGHT ON S. GREEN HAVEN JUST PAST THE PRISION THEN ½ MILE ON RIGHT

Class will be:
CMS4S Exam Course Review Part 1 with instructor Jeff Econom

Total 6 hours of NYS credit ONLY if attending BOTH May 14th & June 11th classes

Meeting time will be 11:30 AM at:
GREEN HAVEN CORRECTIONAL FACILITY
EMPLOYEE PAVILLION.

Meeting fee is $25.00 per person

Reply to this email if you plan to attend and number of guest
MUST RSVP BY May 9th, 2014

Special mention in Honor of those that have passed and those who have and continue to serve, protect and defend.

Yours in codes,

Steve VanBuren, President

Mid Hudson Valley Chapter NYSBOC
2014

President – Steve VanBuren **Vice President – Tom Corrao**
Treasurer – Judith Knauss **Secretary – Susan Dao**
Delegate – Bruce Thompson **Past President – Mark Liebermann**
Historian – Glen Sneyd

Chapter Member 2005

INTERNATIONAL CODE COUNCIL®

Founding Member

Affiliated with New York State

CODES DIVISION
DEPARTMENT OF STATE

June 11TH, 2014 Meeting Notice

2014 MEMBERSHIP APPLICATIONS ARE DUE

The next Chapter monthly meeting will be held on
Wednesday June 11th, 2014

Start time is 11:30 AM for the meeting at
GREEN HAVEN CORRECTIONAL FACILITY EMPLOYEE PAVILLION
LOCATED BEHIND THE PRISION ON S. GREEN HAVEN ROAD, ½ MILE IN FROM ROUTE 216 ON THE RIGHT HAND SIDE. LOOK FOR SIGN COMING FROM RT. 55 (BEEKMAN/POUGHQUAG) ROUTE 216 EAST APPROX. 3.1 MILES. MAKE LEFT ON S. GREEN HAVEN ROAD THEN ½ MILE ON RIGHT
COMING FROM RT. 52 (HOPEWELL/STORMVILLE) ROUTE 216 WEST MAKE RIGHT ON S. GREEN HAVEN JUST PAST THE PRISION THEN ½ MILE ON RIGHT

Class will be:
CMS4S Exam Course Review **Part 2** with instructor Jeff Econom

Total 6 hours of NYS credit ONLY if attending BOTH May 14th & June 11th classes

Meeting time will be 11:30 AM at:
GREEN HAVEN CORRECTIONAL FACILITY
EMPLOYEE PAVILLION.

Meeting fee is $25.00 per person

Reply to this email if you plan to attend and number of guest
MUST RSVP BY June 5th, 2014

Special mention in Honor of those that have passed and those who have and continue to serve, protect and defend.

Yours in codes,

Steve VanBuren, President

Appendix F

Supporting Documentation for Public Involvement/ Participation MCM

Dutchess County Soil and Water Conservation District
2715 Rt.44, Suite 3
Millbrook, N.Y. 12545
Phone (845) 677-8011 ext. 3 Fax (845) 677-8354
www.dutchessswcd.org

TO: DUTCHESS COUNTY MS4 COMMUNITIES

FROM: ERIN SOMMERVILLE, DCSWCD

SUBJECT: PHASE II STORMWATER ASSISTANCE IN YEAR 12

DATE: 3/11/2015

Dear MS4s:

This memo provides details regarding Dutchess County Soil and Water Conservation District's (DCSWCD's) activities during Year 12 of the Phase II stormwater program. Additionally, we have included information regarding some activities completed by other organizations during Year 12. For ease of review and reporting, the reportable activities are organized into Phase II's six minimum measures.

1. Public Education and Outreach on Stormwater Impacts

Year 12

During Year 12 DCSWCD distributed brochures and other printed materials related to stormwater and water quality at numerous public events including the Dutchess County Fair (8/19-8/24/14) and Adams Fair Acre Farm's Spring Landscaping Event in Poughkeepsie (2/20/15-2/22/15), and at our annual seedling sale (4/25/-4/26/14). A total of 1850 pieces of material handed out at these events. DCSWCD also provided educational brochures to municipal employees and Conservation Advisory Councils (CACs) for distribution at various "Community Days" and other public events.

DCSWCD continued to administer the Dutchess County MS4 Coordination Committee which includes all traditional MS4s as members, as well as the New York State DOT and Dutchess County DPW. This committee meets monthly to discuss Phase II related topics. Meetings were held on: 3/12/14, 4/9/14, 5/14/14, 6/11/14, 7/9/14, 9/10/14, 11/12/14, 12/10/14, 1/14/15, and 2/11/15. The committee attended the SENY Stormwater Conference in lieu of the October 2014 Meeting.

DCSWCD hosted 2 NYSDEC certified contractor training sessions during Year 12. These were four hour classes for area contractors regarding proper soil erosion and sediment control. The training dates and number of attendees were as follows:

Date/County	# of Attendees
9/23/2014	21
12/3/2014	30

Again in 2014, DCSWCD assisted in the organization and administration of the Hudson Valley Regional Envirothon at the Sharpe Reservation in Fishkill on April 30th. The Envirothon is an environmentally based competition event between teams of high school students. The 2014 focus topic was Sustainable Agriculture-Locally Grown.

In Year 12, DCSWCD staff continued to maintain, update, and improve the stormwater webpage associated with the overall District website (http://dutchessswcd.org/stormwater.htm). The webpage includes information and web links useful to residents, businesses, and MS4s regarding Phase II and stormwater. Links to Annual Reports for the committee were also placed on the website.

DCSWCD staff also created and maintained the new MS4 Committee Facebook page (https://www.facebook.com/pages/Dutchess-County-MS4-Coordination-Committee/246740025520089). This page helps educate the public on MS4 related issues and any campaigns the committee is working on.

DCSWCD assisted in the organization of the 2014 Southeast New York Stormwater Conference & Trade Show on October 15th, 2014 in Beacon, NY (see attached agenda, Attachment A). This conference was attended by many MS4, county, and state officials, as well as consultants, contractors, and stormwater product providers. This conference provided attendees with a plethora of stormwater information and education. One Hundred and Forty Five people were in attendance. A breakdown of the number of registrants by zip code can be found in Attachment A.

2. Public Involvement/Participation

Year 12

Public participation activities that DCSWCD participated in include attending quarterly public meetings and monthly working group meetings of the WIC, and monthly meetings of the Dutchess County MS4 Coordination Committee.

The DCSWCD annual seedling sale provided an abundant amount of conservation planting material to businesses and residents of Dutchess County. The table below shows the amount of conservation planting and soil erosion and sediment control coverage that occurred in each community because of the seedling sale.

TABLE 2. CONSERVATION PLANTINGS APRIL 2014 DCSWCD SEEDLING SALE

Town	Zip Code	Plant Count	Conservation Acres
Amenia	12501	611	1.02
Beacon	12508	11	0.02
Clinton Corners	12514	667	1.11
Dover Plains	12522	452	0.75
Fishkill	12524	580	0.97
Holmes	12531	10	0.02
Hopewell Junction	12533	355	0.60
Hyde Park	12538	635	1.06
LaGrangeville	12540	480	0.8
Millbrook	12545	2278	3.80
Millerton	12546	415	0.70
Pawling	12564	331	0.55
Pine Plains	12567	30	0.05
Pleasant Valley	12569	1121	1.87
Poughkeepsie	12601	370	0.62
Poughkeepsie	12603	365	0.61
Poughquag	12570	192	0.32
Red Hook	12571	483	0.81
Rhinebeck	12572	277	0.46
Salt Point	12578	264	0.44
Staatsburg	12580	1043	1.74
Stanfordville	12581	1055	1.76
Stormville	12582	30	0.05
Tivoli	12583	240	0.40
Verbank	12585	220	0.37
Wappingers Falls	12590	253	0.42
Wassaic	12592	84	0.14
Wingdale	12594	290	0.48

3. Illicit Discharge Detection and Elimination

Year 12

Considering sediment loading in stormwater as an illicit discharge, DCSWCD has a Certified Professional in Erosion and Sediment Control (CPESC) on staff to assist communities with soil

erosion issues. DCSWCD staff regularly responds to calls from MS4s who are witnessing illicit discharges from construction sites. We respond, assess the situation, and act as an agent to NYSDEC as necessary to move towards enforcement actions.

4. Construction Site Stormwater Runoff Control

Year 12

As stated above, DCSWCD hosted 2 training sessions for local contractors regarding proper soil erosion and sediment control.

As stated previously, DCSWCD has a Certified Professional in Erosion and Sediment Control (CPESC) on staff to assist communities with soil erosion issues, particularly those due to development or redevelopment projects. DCSWCD regularly responds to calls from MS4s to inspect problem construction sites.

5. Post-Construction Stormwater Management

6. Pollution Prevention/Good Housekeeping for Municipal Operations

Year 12

DCSWCD continued work with the EOH communities on implementing their required retrofit plan for DEC. Work is still continuing on these retrofits. This plan looks at reducing phosphorus in the New York City Watershed by 7.3 kg in five years.

Also attached you will find information received in response to stakeholder letters sent out in December 2014 (attachment B), MS4 Committee information (attachment C), and the traffic count information for the billboard location (attachment D).

If you have any questions please contact me at 677-8011 x3. We look forward to continuing to collaborate with Dutchess County MS4 communities in the future.

Sincerely,

Erin W. Sommerville
MS4 Coordinator

ATTACHMENT A

2014 Southeast New York Stormwater Conference

Stormwater Management in a Changing Climate

October 15, 2014

Agenda

8:00-8:30	Sign in and breakfast	
8:30-8:45	Welcome and LHCCD Update	
8:45-9:45	1. Climate Change and Resilient Site Planning - *Russell Urban-Mead & Kelsey Carr*	
9:45-10:00	Break	
10:00-11:00	2. Diving Deeper into Green Infrastructure: Design Opportunities, Avoiding Pitfalls - *John Dunkle*	3. Removing Barriers to GI in Municipal Codes - *Nadine Medina & Marcy Denker*
11:00-11:15	Break	
11:15-12:15	4. Maximizing Phosphorus Load Reduction - *Derek Berg*	5. Culvert Sizing for Flood Resilience and Wildlife Passage - *Andrew Meyer & Brian Scoralick*
12:15-1:15	Lunch	
1:15-2:15	6. Modern Erosion Control Techniques and Materials - *Doug McCluskey & Randy Thompson*	7. Effective Green Infrastructure Retrofits - *Tana Bigelow*
2:15-2:30	Break	
2:30-3:30	8. Practical Long-Term Green Infrastructure Design - *Josh Kogan*	9. Multiple Benefits of Green Infrastructure Practices - *Libby Murphy & Simon Gruber*

2014 Stormwater Conference Registrations by Zip Code

City	State	Zip	# of Attendees
Cape Elizabeth	ME	04107	1
Glastonbury	CT	06033	1
Chester	CT	06412	1
Danbury	CT	06811	1
Redding	CT	06896	1
Wilton	CT	06897	1
Hoboken	NJ	07030	2
Maplewood	NJ	07040	1
Newark	NJ	07102	1
Chester	NJ	07930	1
New York	NY	10038	1
Ardsley	NY	10502	3
Armonk	NY	10504	2
Bedford	NY	10506	1
Brewster	NY	10509	2
Carmel	NY	10512	3
Chappaqua	NY	10514	1
Cold Spring	NY	10516	2

Croton on Hudson	NY	10520	1
Irvington	NY	10533	2
Mahopac	NY	10541	2
Mt Kisco	NY	10549	1
Port Chester	NY	10573	1
Scarsdale	NY	10583	1
Somers	NY	10589	1
ValHalla	NY	10595	1
Yorktown Heights	NY	10598	2
White Plains	NY	10603	3
Yonkers	NY	10705	1
Suffern	NY	10901	4
Campbell Hall	NY	10916	7
Chester	NY	10918	1
Harriman	NY	10926	1
Hillburn	NY	10931	2
Middletown	NY	10941	5
New City	NY	10956	1
Orangeburg	NY	10962	3
Pearl River	NY	10965	1
Stony Point	NY	10980	1
Orangeburg	NY	10983	1
Warwick	NY	10990	3

Long Island City	NY	11101	2
Patchogue	NY	11772	1
Ronkonkoma	NY	11779	1
Smithtown	NY	11787	2
Cobleskill	NY	12043	1
Glenmont	NY	12077	1
New Lebanon	NY	12125	1
Rensselaer	NY	12144	2
Voorheesville	NY	12186	1
Albany	NY	12205	2
Albany	NY	12207	2
Albany	NY	12233	1
Kingston	NY	12401	1
Greenfield Park	NY	12435	1
Beacon	NY	12508	2
Fishkill	NY	12524	1
Highland	NY	12528	1
Hopewell Jct	NY	12533	2
Hudson	NY	12534	2
Hyde Park	NY	12538	2
Lagrangeville	NY	12540	2
Newburgh	NY	12550	1
New Windsor	NY	12553	5

New Paltz	NY	12561	4
Patterson	NY	12563	2
Pawling	NY	12564	2
Poughquag	NY	12570	3
Wappingers Falls	NY	12590	3
Poughkeepsie	NY	12601	4
Poughkeepsie	NY	12603	12
Rochester	NY	14604	2
Ithaca	NY	14853	1
Milford	PA	18337	1
Newtown	PA	18940	1
Pomona	NY		1

ATTACHMENT B

Stakeholder Information

Fall Kill Creek Watershed Committee

The Fall Kill Creek Watershed Committee helped Riverkeeper with the 2014 Riversweep. Clearwater also worked with Nubian Directions and Greenway to build a model of Green Stormwater Infrastructure at the ND Training Center on Winnikee Ave.,

RiverKeeper

County	Site	No of volunteers	Description of trash removed, or number of bags	Pounds of trash removed (estimated)
DUTCH	Kaal Rock Park, Poughkeepsie	19		
DUTCH	Wappinger Creek (land & kayak, from the Falls in the Village of Wappingers to the Hudson)	10	18 big bags 540 pounds, 10 small bags, 150	690
DUTCH	Wappinger Greenway trail / Franny Reese Preserve Trail, Wappingers Falls	34	13	240
DUTCH	Mills-Norrie State Park	22	6	180
DUTCH	Fall Kill in Poughkeepsie	16	6 extra large	300
DUTCH	Beacon Waterfront	25	21 Am R bags	630
DUTCH	Make Poughkeepsie Shine - Waryas Park	35		1500
DUTCH	Tivoli North Bay	5	15	
DUTCH	Tivoli South Bay, plus Little Cruger Island - Bard students only	13	30	
DUTCH	Dennings Point	36	17	510

Oblong Land Conservancy

OBLONG
LAND CONSERVANCY

Conserving the land, protecting our future.

Erin Sommerville, MS4 Coordinator

Dutchess County MS4 Coordination Committee

c/o Dutchess County Soil & Water Conservation District

2715 Route 44, Suite 3

Millbrook, NY 12545

February 2, 2015

Dear Erin,

In response to your letter, dated January 13, 2015, and your request for this organization's annual stormwater events, please be advised that the Oblong Land Conservancy participates in an exhibit called the "Friends of the Great Swamp" Art Show. This annual very popular event draws a crowd of thousands over a three day period. Various exhibitions draw the crowds. The Oblong's exhibit always includes handouts related to the preservation of our natural and water resources. The run-off all ends up in The Great Swamp. I cannot tell you how many leaflets we handed out during those days, but I refilled the distribution stand several times.

Oblong Land Conservancy has officially adopted a 3 mile section of Route 22 (both sides) for litter cleanup. The drainage ditches on Rt. 22 run parallel to The Great Swamp, in the section that includes the Appalachian Trail Corridor Crossing. At least 4 volunteers turn out for each of the collection days, supplemented by other volunteers. The project is under the direction of Oblong's Co-Chair of the Board, Theresa Ryan.

In 2014, more than a total of 15 large bags of trash were collected. The winter's snow covers a lot more waiting for removal.

It is a good thing to have our volunteer efforts receive some recognition.

Very truly yours,

Sibyll Gilbert

Sibyll Gilbert, Vice Chair

Oblong Land Conservancy is a 501(c)3 organization

PO Box 501, Pawling, NY 12564 | 845-855-5993
oblongland.org

Attachment C

MS4 Committee Info

MS4 Committee Listserve-58 people

MS4 Committee Facebook Page-20 likes

TU clean up details
(from 1/2015 meeting) – "D.Morrison stated that he continues to wait for photos from the TU clean-up event but that he estimates that 7yd3 of garbage and debris was removed from the Wappinger Creek (primarily from Pleasant Valley dam to HG Page building) and 7yd3 was removed from the Ten Mile during the March 2014 event." (from the May 2014 meeting) "D.Morrison updated the Committee on the cleanup activities of the regional chapter of Trout Unlimited. He stated that they cleaned portions of the Wappingers Creek, Fishkill Creek, and Ten Mile. He stated that he believed 5 cubic yards was removed from the Wappingers Creek. D.Morrision stated that he would send out an email to all Committee members discussing the details of the cleanup including photos that are available."

1000 Homeowner Brochures Printed

1000 Rain Garden Brochures Printed

Attachment D

Traffic Count for Billboard

STATION: **828608**

Poughkeepsie-Dutchess County Transportation Council

Traffic Count Hourly Report

ROAD #: ROAD NAME: **SMITH ST** -
DIRECTION: Southbound FACTOR GROUP: 30
STATE DIR CODE: 2 WK OF YR: 17
DATE OF COUNT: 04/21/2014
NOTES LANE 1: SB TRAVEL LANE

COUNT TAKEN BY: ORG CODE: TST INITIALS: KAJ

FROM: **SMITH ST** TO: **LITTLE GEORGE**
REC. SERIAL #: 0044 FUNC. CLASS: 17
PLACEMENT: 25YDS S OF LITTLE GEORGE ST NHS: no
@ REF MARKER: JURIS: County
ADDL DATA: CC Stn:
COUNT TYPE: AXLE PAIRS BATCH ID: MPD-TriState Files
PROCESSED BY: ORG CODE: MPD INITIALS: ED

COUNTY: **Dutchess**
CITY: **POUGHKEEPSIE**
LION#:
BIN:
RR CROSSING:
HPMS SAMPLE:

DATE	DAY	12 TO 1 AM	1 TO 2 AM	2 TO 3 AM	3 TO 4 AM	4 TO 5 AM	5 TO 6 AM	6 TO 7 AM	7 TO 8 AM	8 TO 9 AM	9 TO 10 AM	10 TO 11 AM	11 TO 12 AM	12 TO 1 PM	1 TO 2 PM	2 TO 3 PM	3 TO 4 PM	4 TO 5 PM	5 TO 6 PM	6 TO 7 PM	7 TO 8 PM	8 TO 9 PM	9 TO 10 PM	10 TO 11 PM	11 TO 12 PM	DAILY TOTAL	DAILY HIGH COUNT	DAILY HIGH HOUR
1	F																											
2	W																											
3	T																											
4	F																											
5	S																											
6	S																											
7	M																											
8	T																											
9	W																											
10	T																											
11	F																											
12	S																											
13	S																											
14	M																											
15	T																											
16	W																											
17	T																											
18	F																											
19	S																											
20	S																											
21	M										74	57	100	82	88	90	98	82	80	62	56	51	42	19	9			
22	T	3	2	1	0	4	8	27	54	71	77	72	70	88	77	84	85	67	52	50	51	48	42	22	16	1047	86	12
23	W	9	4	1	1	4	8	25	52	69	72	54	78	78	84	84	74	77	66	53	44	39	34	17	8	1035	84	13
24	T	6	1	1	1	5	6	34	66	69	62	59																
25	F																											
26	S																											
27	S																											
28	M																											
29	T																											
30	W																											

AVERAGE WEEKDAY HOURS (Axle Factored, Mon 6AM to Fri Noon)

8	2	1	1	4	7	29	57	70	71	60	83	82	83	79	85	75	66	55	50	46	39	19	11	ADT 1061

DAYS Counted	HOURS Counted	WEEKDAYS Counted	WEEKDAY Hours	AVERAGE WEEKDAY High Hour	AVERAGE WEEKDAY % of day	Axle Adj. Factor	Seasonal/Weekday Adjustment Factor	ESTIMATED (one way)
3	74	3	74	85	8%	1.000	1.052	**AADT 1028**

ROAD #: ROAD NAME: **SMITH ST** FROM: **SMITH ST** TO: LITTLE GEORGE COUNTY: **Dutchess**
STATION: **828608** STATE DIR CODE: **2** PLACEMENT: **25YDS S OF LITTLE GEORGE ST** DATE OF COUNT: **04/21/2014**

Poughkeepsie-Dutchess County Transportation Council
Classification Count Average Weekday Data Report

ROAD #:
COUNTY NAME: Dutchess
REGION CODE: 8
FROM: SMITH ST
TO: LITTLE GEORGE
REF-MARKER:
END MILEPOINT: 0009
FUNC-CLASS: 17
STATION NO: 8608
COUNTTAKEN BY: ORG CODE: TST INITIALS: KAJ
PROCESSED BY: ORG CODE: ISPD INITIALS: ED

ROAD NAME: SMITH ST
NO. OF LANES: 2
HPMS NO:
LDNM:

YEAR: 2014
MONTH: April

STATION: 828608

BATCH ID: ISPD-Tribble Filter

DIRECTION	North	South	TOTAL
NUMBER OF VEHICLES	1135	1050	2203
NUMBER OF AXLES	2365	2154	4463
% HEAVY VEHICLES (F4-F13)	4.91%	3.81%	4.39%
% TRUCKS AND BUSES (F3-F13)	20.71%	16.37%	17.34%
AXLECORRECTION FACTOR	0.50	0.50	0.50

	VEHICLE CLASS	F1	F2	F3	F4	F5	F6	F7	F8	F9	F10	F11	F12	F13	TOTAL
	NO. OF AXLES	2	2	2	2.5	2	3	4	3.5	5	6	5	6	6.75	
ENDING HOUR	100	0	6	1	0	0	0	0	0	0	0	0	0	0	7
	200	0	4	0	0	0	0	0	0	0	0	0	0	0	4
	300	0	2	0	0	0	0	0	0	0	0	0	0	0	2
	400	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	500	0	2	0	0	0	0	0	0	0	0	0	0	0	2
	600	0	6	1	0	1	0	0	0	0	0	0	0	0	8
	700	1	22	1	1	1	0	0	0	0	0	0	0	0	26
	800	1	49	11	1	1	0	0	0	0	0	0	0	0	63
	900	1	60	12	5	4	1	0	0	0	0	0	0	0	86
	1000	0	56	14	0	2	0	0	0	0	0	0	0	0	72
DIRECTION North	1100	1	57	10	1	3	0	0	0	0	0	0	0	0	72
	1200	1	52	13	1	2	1	0	0	0	0	0	0	0	70
	1300	3	55	14	1	4	0	0	0	0	0	0	0	0	77
	1400	0	58	14	1	3	0	0	0	0	0	0	0	0	86
	1500	0	72	11	2	3	0	0	0	0	0	0	0	0	88
	1600	1	58	16	4	1	0	0	0	0	0	0	0	0	79
	1700	0	63	16	2	3	0	0	0	0	0	0	0	0	84
	1800	1	72	10	0	2	0	0	0	0	0	0	0	0	86
	1900	1	67	10	1	1	0	0	0	0	0	0	0	0	79
	2000	1	36	6	0	1	0	0	0	0	0	0	0	0	45
	2100	1	30	7	0	1	0	0	0	0	0	0	0	0	39
	2200	0	27	3	0	1	0	0	0	0	0	0	0	0	31
	2300	0	16	3	0	0	0	0	0	0	0	0	0	0	19
	2400	0	13	1	0	0	0	0	0	0	0	0	0	0	14
	TOTAL VEHICLES	13	887	172	20	34	2	0	0	0	0	0	0	0	1128
	TOTAL AXLES	26	1774	344	50	68	6	0	0	0	0	0	0	0	2268
ENDING HOUR	100	0	6	0	0	0	0	0	0	0	0	0	0	0	6
	200	0	2	0	0	0	0	0	0	0	0	0	0	0	2
	300	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	400	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	500	1	3	0	0	0	0	0	0	0	0	0	0	0	4
	600	0	7	0	0	0	0	0	0	0	0	0	0	0	7
	700	0	22	5	0	1	1	0	0	0	0	0	0	0	29
	800	3	41	10	1	1	1	0	0	0	0	0	0	0	57
	900	1	54	9	1	2	2	0	0	0	0	0	0	0	69
	1000	0	59	10	0	1	1	0	0	0	0	0	0	0	71
	1100	2	48	8	0	1	2	0	0	0	0	0	0	0	61
DIRECTION South	1200	1	69	9	0	2	1	0	0	0	0	0	0	0	82
	1300	1	68	10	0	2	1	0	0	0	0	0	0	0	82
	1400	1	69	9	0	2	2	0	0	0	0	0	0	0	83
	1500	0	61	13	1	2	2	0	0	0	0	0	0	1	80
	1600	1	71	9	0	2	1	0	0	0	0	0	0	0	84
	1700	1	63	9	0	0	1	0	0	0	0	0	0	0	74
	1800	1	58	7	0	0	0	0	0	0	0	0	0	0	66
	1900	0	47	6	0	1	1	0	0	0	0	0	0	0	55
	2000	0	45	4	0	0	0	0	0	0	0	0	0	1	50
	2100	0	42	3	0	0	1	0	0	0	0	0	0	0	46
	2200	0	36	3	0	0	1	0	0	0	0	0	0	0	40
	2300	0	17	1	0	0	1	0	0	0	0	0	0	0	19
	2400	0	11	0	0	0	0	0	0	0	0	0	0	0	11
	TOTAL VEHICLES	13	961	128	3	17	19	0	0	0	0	0	0	2	1080
	TOTAL AXLES	26	1802	280	6	34	57	0	0	0	0	0	0	18	2194
	GRAND TOTAL VEHICLES	26	1788	297	23	51	21	0	0	0	0	0	0	2	2208
	GRAND TOTAL AXLES	52	3576	594	56	102	63	0	0	0	0	0	0	18	4462

VEHICLE CLASSIFICATION CODES:

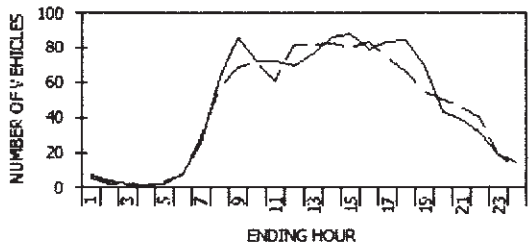
F1. Motorcycles
F2. Autos*
F3. 2 Axle, 4-Tire Pickups, Vans, Motorhomes*
F4. Buses
F5. 2 Axle, 6-Tire Single Unit Trucks
F6. 3 Axle Single Unit Trucks
F7. 4 or More Axle Single Unit Trucks
F8. 4 or Less Axle Vehicles, One Unit a Truck
F9. 5 Axle Double Unit Vehicles, One Unit a Truck
F10. 6 or More Double Unit Vehicles, One Unit a Truck
F11. 5 or Less Axle Multi-Unit Trucks
F12. 6 Axle Multi-Unit Trucks
F13. 7 or More Axle Multi-Unit Trucks

* INCLUDING THOSE HAULING TRAILERS

FUNCTIONAL CLASS CODES:

RURAL	URBAN	SYSTEM
01	11	PRINCIPAL ARTERIAL-INTERSTATE
02	12	PRINCIPAL ARTERIAL-EXPRESSWAY
02	14	PRINCIPAL ARTERIAL-OTHER
06	16	MINOR ARTERIAL
07	17	MAJOR COLLECTOR
08	17	MINOR COLLECTOR
09	19	LOCAL SYSTEM

TRAFFIC FLOW BY DIRECTION



— North --South

PEAK HOUR DATA

DIRECTION	HOUR	COUNT	2-WAY	HOUR	COUNT
North	15	88	A.M.	9	155
South	16	84	P.M.	14	169

SOURCE: NYSDOT DATA SERVICES BUREAU

Poughkeepsie-Dutchess County Transportation Council
Speed Count Average Weekday Report

Date: 05/15/2014

Station:	828608	Start date:	Mon 04/21/2014 09:00	Count duration:	74 hours
Road #:	Road name: SMITH ST	End date:	Thu 04/24/2014 10:45	Functional class:	17
From:	SMITH ST	County:	Dutchess	Factor group:	30
To:	LITTLE GEORGE	Town:	POUGHKEEPSIE	Batch ID:	MPD-TriState Files
Direction:	North	Speed limit:	35	Count taken by:	Org: TST Init: KAJ
		LION#:		Processed by:	Org: MPD Init: ED

Speeds, mph

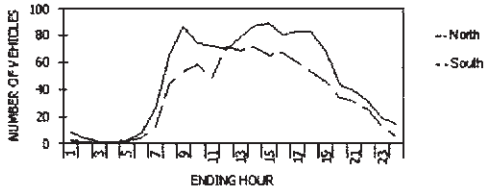
Hour	0.0-20.0	20.1-25.0	25.1-30.0	30.1-35.0	35.1-40.0	40.1-45.0	45.1-50.0	50.1-55.0	55.1-60.0	60.1-65.0	65.1-70.0	70.1-75.0	75.1-Inf	% Exc 45.0	% Exc 50.0	% Exc 55.0	% Exc 60.0	% Exc 65.0	Avg	50th%	85th%	Total
1:00	1	3	3	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	23.0	25.8	29.7	8
2:00	0	2	2	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.8	25.8	28.6	4
3:00	0	0	1	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	27.5	31.6	29.3	1
4:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.5	22.6	24.3	1
5:00	0	0	1	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	29.5	30.0	30.6	2
6:00	0	2	4	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.4	26.9	30.0	7
7:00	3	6	11	4	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	23.6	24.8	30.2	25
8:00	12	28	20	4	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.5	23.7	28.3	65
9:00	14	39	30	3	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.2	23.8	28.4	86
10:00	10	30	30	4	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.4	24.6	28.9	74
11:00	13	29	26	4	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.6	24.0	28.2	72
12:00	10	36	21	3	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.8	23.5	28.3	70
13:00	17	37	23	5	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.8	23.6	28.6	78
14:00	12	46	26	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.7	23.4	28.0	87
15:00	11	42	32	4	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.4	24.0	28.5	89
16:00	11	43	24	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	21.8	23.4	28.0	80
17:00	13	33	35	4	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.5	24.7	28.8	85
18:00	6	43	32	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	23.1	24.2	28.4	83
19:00	7	34	21	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.6	24.1	28.3	63
20:00	4	21	11	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.8	24.2	28.4	43
21:00	3	21	13	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	23.0	24.0	28.6	39
22:00	3	16	9	2	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.9	24.0	29.1	31
23:00	1	9	8	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	23.8	24.8	28.9	19
24:00	1	5	6	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.3	25.9	30.0	14
Avg. Daily Total	161	527	402	53	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	22.3	24.0	28.6	1131
Percent	14.2%	46.6%	35.6%	4.7%	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%									
Cum. Percent	14.2%	60.8%	96.1%	99.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%									
Average hour	6	22	17	2	0	0	0	0	0	0	0	0	0									47

TRAFFIC FLOW BY DIRECTION

	Avg. Speed	50th% Speed	85th% Speed
North	22.3	24.0	28.6
South	25.4	27.0	31.6

Peak Hour Data

Direction	Hour	Count		Hour	Count
North	15	89	2-way A.M.	12	141
South	12	71	P.M.	14	158



Poughkeepsie-Dutchess County Transportation Council
Speed Count Average Weekday Report

Date: 05/15/2014

Station:	828608	Start date:	Mon 04/21/2014 09:00	Count duration:	74 hours
Road #:	Road name: SMITH ST	End date:	Thu 04/24/2014 10:45	Functional class:	17
From:	SMITH ST	County:	Dutchess	Factor group:	30
To:	LITTLE GEORGE	Town:	POUGHKEEPSIE	Batch ID:	MPD-TriState Files
Direction:	South	Speed limit:	35	Count taken by:	Org: TST Init: KAJ
		LION#:		Processed by:	Org: MPD Init: ED

Speeds, mph

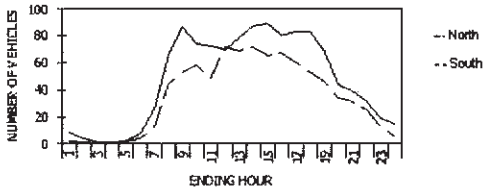
Hour	0.0-20.0	20.1-25.0	25.1-30.0	30.1-35.0	35.1-40.0	40.1-45.0	45.1-50.0	50.1-55.0	55.1-60.0	60.1-65.0	65.1-70.0	70.1-75.0	75.1+	% Etc 45.0	% Etc 50.0	% Etc 55.0	% Etc 60.0	% Etc 65.0	Avg	50th%	85th%	Total
1:00	0	0	1	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	29.8	30.0	30.5	2
2:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	32.5	32.5	34.3	1
3:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
4:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0
5:00	0	0	1	0	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	31.7	30.5	30.5	2
6:00	0	0	3	1	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	28.6	28.4	32.8	4
7:00	0	2	7	3	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	28.1	28.3	30.5	13
8:00	3	7	24	9	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	25.7	27.5	31.9	44
9:00	4	10	26	12	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.4	27.5	32.2	53
10:00	2	11	28	15	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.7	27.9	32.5	58
11:00	2	16	24	6	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.2	26.4	30.8	49
12:00	6	24	26	12	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.2	26.0	31.0	71
13:00	4	23	29	13	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.8	26.3	31.1	69
14:00	6	21	26	14	3	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.0	26.7	32.3	71
15:00	4	16	33	10	2	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.2	26.5	31.2	65
16:00	6	22	21	8	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.3	26.1	29.9	62
17:00	4	20	28	7	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.5	26.1	29.9	60
18:00	5	18	21	8	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.0	25.9	30.2	53
19:00	1	8	24	12	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	27.1	28.0	32.6	46
20:00	3	8	16	7	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	24.3	26.9	31.8	34
21:00	1	3	20	7	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	26.9	27.9	31.7	31
22:00	0	3	16	6	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	27.8	28.0	31.9	25
23:00	0	2	7	3	1	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	28.1	28.3	33.5	13
24:00	0	1	2	2	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	28.0	28.6	33.2	5
Avg. Daily Total	4.9	21.5	39.8	15.7	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	25.4	27.0	31.6	636
Percent	5.9%	25.7%	47.5%	18.8%	2.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%									
Cum. Percent	5.9%	31.6%	79.1%	97.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%									
Average Hour	2	9	17	7	1	0	0	0	0	0	0	0	0									26

TRAFFIC FLOW BY DIRECTION

	Avg. Speed	50th% Speed	85th% Speed
North	22.3	24.0	28.6
South	25.4	27.0	31.6

Peak Hour Data

Direction	Hour	Count	2-way	Hour	Count
North	15	89	A.M.	12	141
South	12	71	P.M.	14	158



Wappingers Falls Business & Professional Association's 2014 "Cleansweep"

Cindy Latino, Reader Submitted *2:02 p.m. EDT May 15, 2014*

(Photo: Jack Fedigan/Reader Submitted)

Wappingers Falls Business & Professional Association Cleansweep:

On Saturday, May 3, 2014 the Wappingers Falls Business & Professional Association hosted the 19th annual Cleansweep. The Association conducts this annual Village of Wappingers Falls Spring cleanup in memory of Hank DiMarco. Hank was a dedicated member of our organization and an active member of the Village community. He always sought to become involved in activities that would lead to a better quality of life for the people living and working in our area. The continuation of projects that Hank was instrumental in organizing remains a high priority for the Wappingers Falls Business & Professional Association. Cleansweep Chairperson Jack Fedigan fondly remembers the day that Hank approached him about taking over organization of the yearly event. You could never say no to Hank, remarked Fedigan. It has been an honor to continue Hanks stewardship to preserve the quality of life in our Village.

The Association would like to extend a heartfelt thanks to the 75 volunteers that helped to make this years event a huge success. Congratulations to loyal supporters Frannie DiPolito, Mary Schmalz and of course, the Honorable Ray Chase, who have joined in every Cleansweep event that has occurred. Its hard to believe that it has been almost two decades since the original event took place. We especially want to acknowledge employees and friends of Exit Reality who participated for the first time. We applaud your efforts to support and become actively involved in our community. They are pictured with Wappingers Falls Business & Professional Association President, Kathy Rutledge, at the luncheon held at the S.W. Johnson Firehouse at the conclusion of the morning event.

Thank you to our local scouts and students from St. Marys in Wappingers Falls. They tackled our Village parks and municipal parking lots. Friends and employees of the Grinnell Library worked throughout the morning sprucing up the pocket park located in front of the Library. Members of the Wappingers Historical Society focused their efforts on the Mesier park and Homesteda area.

Thank you to Royal Carting for supplying a dumpster. Over 100 bags of garbage were collected during volunteer efforts on Saturday. Thank you Home Depot for the donation of picker uppers to help our more seasoned volunteers to do a little less bending while continuing to fill bag after bag of garbage. Thank you to the S.W. Johnson Firehouse for allowing their facilities to be used for registration and our luncheon following the event. Thanks again to Marshalls Deli for their delicious sub sandwich and Longobardis Restaurant for the heavenly pizza to feed our ravenous workers. The days activities always speed by when participants have a wonderful feast to look forward to. Last but not least, thank you to the Creamery for their refreshing ice cream treats that capped off a wonderful and successful day.

The Wappingers Falls Business & Professional Association encourages all Village residents to take pride in our community and continue the efforts of our Cleansweep volunteers year round.

Read or Share this story: http://pojonews.co/1gs8ECX

TOP VIDEOS

Appendix G

Supporting Documentation for Illicit Discharge Detection and Elimination MCM

Village of Wappingers Falls, NY
Friday, November 27, 2015

Chapter 131. Stormwater Management

Article II. Illicit Discharges and Connections to Storm Sewer System

§ 131-13. Purpose and objectives.

A. The purpose of this article is to provide for the health, safety, and general welfare of the citizens of the Village of Wappingers Falls through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This article establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems.

B. The objectives of this article are:

(1) To meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-02-02, or as amended or revised;

(2) To regulate the contribution of pollutants to the MS4 since such systems are not designed to accept, process or discharge nonstormwater wastes;

(3) Comply with the applicable Federal regulations for small Municipal Separate Storm Sewer Systems (MS4) promulgated by the United States Environmental Protection Agency pursuant to the Clean Water Act (33 U.S.C. § 1251 et seq.);

(4) To prohibit illicit discharges and illicit connections to the MS4;

(5) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter; and

(6) To promote public awareness of the adverse environmental impacts and hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§ 131-14. Applicability.

This article shall apply to all water entering the MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§ 131-15. Administration and enforcement.

A. The Stormwater Management Officer shall administer, implement and enforce the provisions of this article. The SMO may delegate.

B. The Dutchess County Department of Health presently is and shall continue to be the enforcement authority for the design, repair, replacement and operation of individual sewage treatment systems within the MS4.

§ 131-16. Illicit discharges prohibited; exceptions.

A. Prohibition of illicit discharges. No person shall discharge or cause to be discharged or continue to discharge into the MS4 any materials other than stormwater, except those discharges exempted by Subsection **B** below.

B. Exempt discharges.

(1) Any discharge permitted under a NPDES permit, SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the EPA or the NYSDEC, 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 MS4.

(2) The following discharges are exempt from discharge prohibitions established by this article, unless the NYSDEC or the Village Board of Trustees by resolution has determined them to be substantial contributors of pollutants:

(a) Water line flushing or other potable water sources;

(b) Landscape irrigation or lawn watering;

(c) Existing diverted stream flows;

(d) Rising groundwater;

(e) Uncontaminated groundwater infiltration to storm drains;

(f) Uncontaminated pumped groundwater;

(g) Foundation or footing drains;

(h) Crawl space or basement sump pumps;

(i) Air-conditioning condensate;

(j) Irrigation water;

(k) Springs;

(l) Water from individual residential car washing;

(m) Natural riparian habitat or wetland flows;

(n) Dechlorinated swimming pool discharges;

(o) Residential street wash water;

(p) Water from fire-fighting activities; and

(q) Any other water source not containing pollutants.

(3) Discharges approved in writing by the SMO or his designee to protect life or property from imminent harm or damage, provided that such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this article.

(4) Dye testing in compliance with applicable state and local laws is an allowable discharge, but requires notification to the SMO prior to the time of the test.

§ 131-17. Illicit connections prohibited.

A. The construction, use, maintenance or continued existence of illicit connections to the MS4 is prohibited.

B. 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.

C. A person is considered to be in violation of this article if the person connects a line conveying sewage to the Village's MS4 or allows such a connection to continue.

§ 131-18. Stormwater contamination prohibited.

A. Activities that are subject to the requirements of this section include:

(1) Activities that cause or contribute to a violation of the Village's MS4 SPDES permit; or

(2) Activities that cause or contribute to the Village being subject to the special conditions as defined in § **131-3** of this chapter.

B. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the Village's MS4 SPDES permit authorization, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the Village's MS4 SPDES permit authorization.

§ 131-19. Use of best management practices required.

A. Where the SMO has identified illicit discharges as defined in § **131-3** or activities contaminating stormwater as defined in § **131-18**, the Village may require implementation of best management practices (BMPs) to control those illicit discharges and activities.

(1) The owner or operator of a commercial or industrial establishment shall provide, at his or her own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 through the use of structural and nonstructural BMPs.

(2) Any person responsible for a property or premises, which is, or may be, the source of an illegal discharge as defined in § **131-3** or an activity contaminating stormwater as defined in § **131-18**, may be required to implement, at said person's expense, additional structural and nonstructural BMPs to reduce or eliminate the source of pollutant(s) to the MS4.

(3)

Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

B. 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 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.

§ 131-20. Suspension of access to MS4.

A. Suspension without prior notice. The SMO 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, to the health or welfare of persons, or to the MS4. The SMO shall notify the person of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violator fails to comply with the suspension order issued pursuant to this paragraph, the SMO may take such steps as deemed necessary to prevent or minimize damage to the MS4 or to minimize danger to persons.

B. Suspension after notice of illicit discharge. Any person discharging to the Village's MS4 in violation of this article may have his or her MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify a violator in writing of the proposed termination of its MS4 access and the reasons therefor. The violator may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the discharger has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur.

C. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section without the prior approval of the SMO.

§ 131-21. Industrial or construction activity discharges.

Any person subject to an industrial or construction activity SPDES stormwater discharge 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 prior to the allowing of discharges to the MS4.

§ 131-22. Access to property; inspection; monitoring of discharges.

A. Applicability. This section applies to all facilities that the SMO must inspect to enforce any provision of this article, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this article.

B. Access to facilities.

(1) The SMO shall be permitted to enter and inspect facilities subject to regulation under this article as often as may be necessary to determine compliance with this article. 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 the SMO.

(2) Facility operators shall allow the SMO ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records as may be required to implement this article.

C. If the SMO has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this article, 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 article or any order issued hereunder, then the SMO may seek issuance of a search warrant from any court of competent jurisdiction.

D. The Village shall have the right to set up on any facility subject to this article such devices as are necessary in the opinion of the SMO to conduct monitoring and/or sampling of the facility's stormwater discharge.

E. The Village has the right to require the facilities subject to this article to install monitoring equipment as is reasonably necessary to determine compliance with this article. 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 stormwater flow and quality shall be calibrated to ensure their accuracy.

§ 131-23. Notification of spills.

A. Notwithstanding other requirements of this article, 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 illicit discharges or pollutants discharging into the MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.

B. In the event of a release of hazardous materials into the MS4, any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, shall immediately notify emergency response agencies of the occurrence via emergency dispatch services.

C. In the event of a release of nonhazardous materials into the MS4, any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, shall notify the Stormwater Management Officer in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Stormwater Management Officer within three business days of the telephone notice.

D. 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 three years.

E. The provisions of this section shall be in addition to any other notifications required by state and federal law.

§ 131-24. Notice of violation.

A. Notice of violation. When the Village's SMO finds that a person has violated a provision of this article or failed to meet a requirement of this article, he or she may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:

(1) The elimination of illicit connections or illicit discharges;

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

(3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

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

(5) The amount of the potential fine; and

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

B. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the Village or a contractor and the expense thereof shall be charged to the violator and shall constitute a lien against the property.

§ 131-25. Corrective measures.

A. If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, then the SMO shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.

B. If refused access to the subject private property, the SMO may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the SMO may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger.

C. Within 10 days after abatement of the violation by, or under authorization of the SMO, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest with the Village Board of Trustees objecting to the amount of the assessment within 10 days of receipt of said notice. If the amount due is not paid within 30 days after the disposition of any protests or the expiration of the time to file an appeal, whichever is earlier, the charges shall become a lien on the property for the amount of the assessment to be collected in the same manner as real estate taxes.

§ 131-26. Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. If a person has violated or continues to violate the provisions of this article, the SMO may petition for a preliminary or permanent injunction restraining the person from activities which would

create further violations or compelling the person to perform abatement or remediation of the violation.

§ 131-27. Penalties for offenses.

A. A violation of any provision of this article is considered an offense and for a first offense a person is subject to a civil penalty of a minimum of $100 to a maximum of $300.

B. A conviction of a second offense of the provisions of this article, both of which were committed within a period of five years, is considered a violation subject to a fine of $250 to $500 and/or a civil penalty of $750 to $1,500.

C. A conviction of a third offense of the provisions of this article, all of which were committed within a period of five years, is considered a violation with a penalty of a period of imprisonment of not to exceed 15 days, a fine, a civil penalty or any combination of the three.

(1) A fine under this subsection shall be a minimum of $500 to a maximum of $2,000.

(2) A civil penalty under this subsection shall be a minimum of $1,500 to $5,000;

D. Each week's continued violation shall constitute a separate additional offense.

[1] *Editor's Note: L.L. No. 8-2008, adopted 12-8-2008, created a uniform section for the application of penalties occurring when any ordinance, resolution or act of the Village is violated. See Ch. **1**, General Provisions, Art. **II**, General Penalty.*

§ 131-28. Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided herein, any condition caused or permitted to exist in violation of any of the provisions of this article 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 commenced by the Village.

§ 131-29. Remedies not exclusive.

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

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CLOSING COORDINATOR:
MARIA L. JONES

* ALSO ADMITTED IN FLA.
** ALSO ADMITTED IN CONN.
*** ALSO ADMITTED IN NJ
****ALSO ADMITTED IN FL & MA

September 27, 2010

Hon. John Karge
Village Clerk
Village of Wappingers Falls
2628 South Avenue
Wappingers Falls, New York 12590

Re: Local Law Regulating Stormwater Management and Illicit Discharges to Comply with MS-4
Certification by Village Attorney

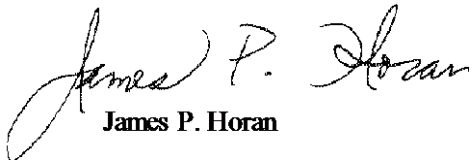
Dear Clerk Karge:

I am the Deputy Village Attorney and I drafted the Local Law the regulates Stormwater Management and Illicit Discharges to the Stormwater System that was adopted by the Board of Trustees of the Village of Wappingers Falls on November 14, 2007. The Local Law is codified at Chapter 131 of the Village of Wappingers Falls Code.

I hereby certify that the provisions of Chapter 131 of the Village of Wappingers Falls Code meet or exceed the minimum requirements set forth in the Sample Local Law for Stormwater Management and Erosion & Sediment Control promulgated by the New York State Department of Environmental Conservation.

If you have any further questions please contact me.

VERGILIS, STENGER, ROBERTS, DAVIS & DIAMOND, LLP

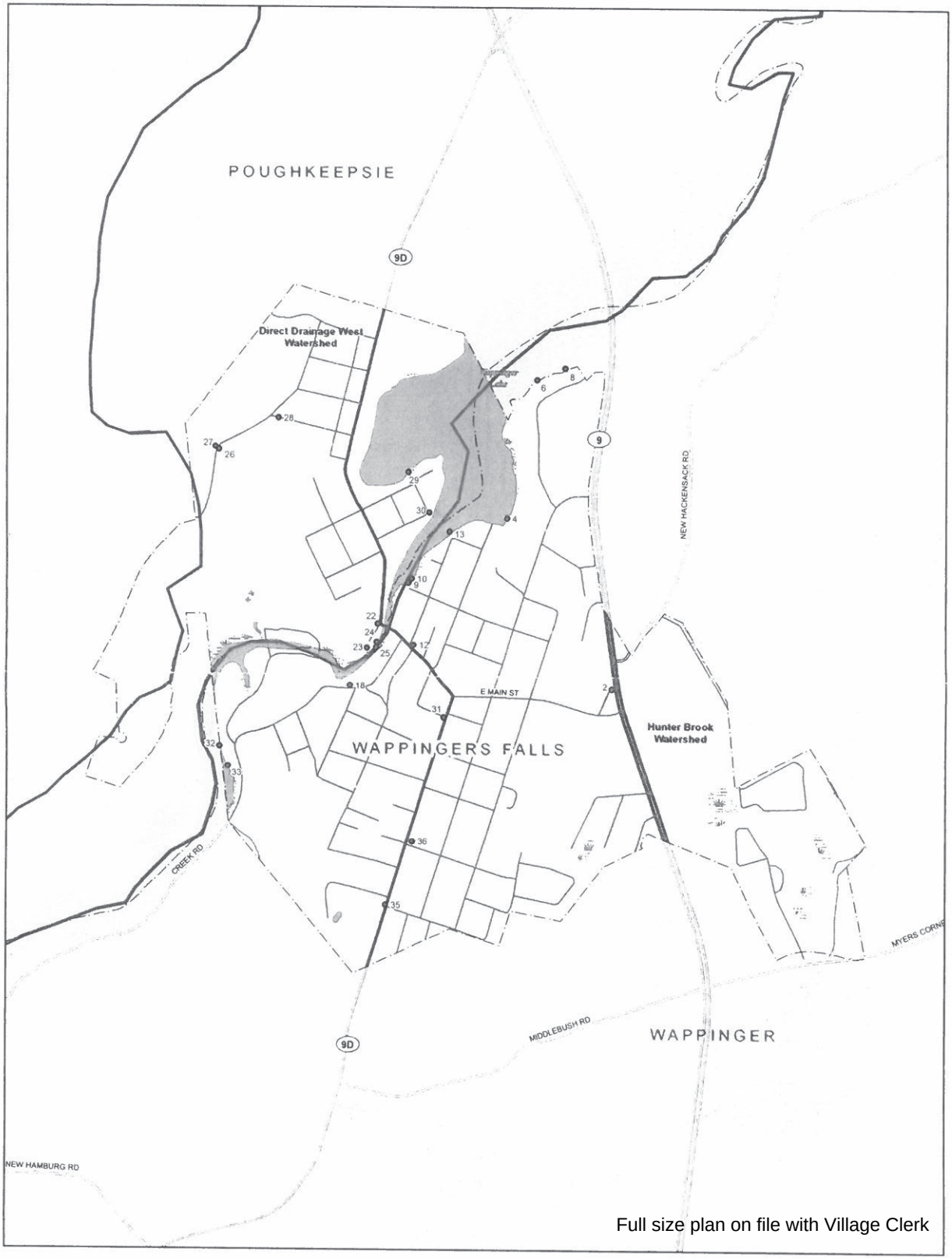


James P. Horan

JPH/so

cc: Mayor Alexander (via email)
Louis J. Viglotti, Esq. (via email)

Village of Wappingers Falls, New York
MS4 Stormwater Outfalls



Full size plan on file with Village Clerk

Legend

- MS4 Outfalls (23)
- Streams
- Wetlands
- Waterbodies
- Watersheds
- Municipal Boundary
- Local Road
- County Road
- State Highway
- Interstate

N W E S

1:12,000

0 500 1,000 Feet

Data Sources

Stormwater Outfalls & Outlets: Dutchess County Soil and Water Conservation District, 2005-2007

Streams and Waterbodies: National Hydrography Dataset, U.S. Geological Survey, 2007

Wetlands: NYS Dept. of Environmental Conservation, 2006; National Wetlands Inventory, U.S. Fish & Wildlife Service, 2007

Watersheds: Dutchess County Environmental Management Council, 2004

Municipal Boundaries: Dutchess County Real Property Tax Service Agency, 2007

Roads: Dutchess County Real Property Tax Service Agency, 2008

Created December 2007
GIS Lab, Environment Program
Cornell Cooperative Extension Dutchess County
in Cooperation with Dutchess County Soil and Water Conservation District

Cornell University
Cooperative Extension
Dutchess County

OUTFALL MAP REVISION REQUEST FORM

All Revision Forms Due to DCSWCD by September 1st of each calendar year 2715 Route 44; Millbrook, New York 12545

MS4 Name:		**Date Submitted:**	
Contact Person for this Request:		**Phone Number:**	
Type of Revision:	☐ **Add**	☐ **Remove**	☐ **Revise**
Approx. Street Address:			
If Add -	Approx. Date of Installation/Construction:		
Type of Outfall:	☐ Pipe	☐ Ditch/Swale	☐ MS4 Connection Point
If Pipe -	Approx. Diameter of Pipe:		
	Material (e.g., HDPE, concrete, etc.):		
Notes & Sketches (please add information to assist DCSWCD in finding outfall, include sketch of location if feasible):			
If Removal or Revision -	Outfall ID:		
If Revision -	Data to be changed:	Attribute Table Title:	
	(Add more sheets as necessary)	Existing Data:	
		Revised/New Data:	
		Attribute Table Title:	
		Existing Data:	
		Revised/New Data:	

==========

MS4 Name:		**Date Submitted:**	
Contact Person for this Request:		**Phone Number:**	
Type of Revision:	☐ **Add**	☐ **Remove**	☐ **Revise**
Approx. Street Address:			
If Add -	Approx. Date of Installation/Construction:		
Type of Outfall:	☐ Pipe	☐ Ditch/Swale	☐ MS4 Connection Point
If Pipe -	Approx. Diameter of Pipe:		
	Material (e.g., HDPE, concrete, etc.):		
Notes & Sketches (please add information to assist DCSWCD in finding outfall, include sketch of location if feasible):			
If Removal or Revision -	Outfall ID:		
If Revision -	Data to be changed:	Attribute Table Title:	
	(Add more sheets as necessary)	Existing Data:	
		Revised/New Data:	
		Attribute Table Title:	
		Existing Data:	
		Revised/New Data:	

Illicit Discharge Hotline Incident Tracking Sheet

Incident ID:

Responder Information	
Call taken by:	Call date:
Call time:	Precipitation (inches) in past 24-48 hrs:
Reporter Information	
Incident time:	Incident date:
Caller contact information (*optional*):	

Incident Location *(complete one or more below)*

Latitude and longitude:			
Stream address or outfall #:			
Closest street address:			
Nearby landmark:			
Primary Location Description	**Secondary Location Description:**		
☐ Stream corridor *(In or adjacent to stream)*	☐ Outfall	☐ In-stream flow	☐ Along banks
☐ Upland area *(Land not adjacent to stream)*	☐ Near storm drain	☐ Near other water source (storm water pond, wetland, etc.):	
Narrative description of location:			

Upland Problem Indicator Description

☐ Dumping	☐ Oil/solvents/chemicals	☐ Sewage
☐ Wash water, suds, etc.	☐ Other: _____	

Stream Corridor Problem Indicator Description

Odor	☐ None	☐ Sewage	☐ Rancid/Sour	☐ Petroleum (gas)
	☐ Sulfide (rotten eggs); natural gas	☐ Other: Describe in "Narrative" section		
Appearance	☐ "Normal"	☐ Oil sheen	☐ Cloudy	☐ Suds
	☐ Other: Describe in "Narrative" section			
Floatables	☐ None:	☐ Sewage (toilet paper, etc)	☐ Algae	☐ Dead fish
	☐ Other: Describe in "Narrative" section			
Narrative description of problem indicators:				
Suspected Violator (name, personal or vehicle description, license plate #, etc.):				

Investigation Notes	
Initial investigation date:	Investigators:
☐ No investigation made	Reason:
☐ Referred to different department/agency:	Department/Agency:
☐ Investigated: No action necessary	
☐ Investigated: Requires action	Description of actions:
Hours between call and investigation:	Hours to close incident:
Date case closed:	
Notes:	

OUTFALL INSPECTION REPORT

Village of Wappingers Falls

Section 1: Background Data

Subwatershed:		Outfall ID:
Today's date:		Time:
Investigator:		Photo #'s:
Temperature (°F):	Rainfall (in.): Last 24 hours:	Last 48 hours:

Land Use in Drainage Area (Check all that apply):

☐ Industrial
☐ Ultra-Urban Residential
☐ Suburban Residential
☐ Commercial
☐ Open Space
☐ Institutional

Other: _____

Known Industries: _____

Notes (e.g.., origin of outfall, if known):

Section 2: Outfall Description

LOCATION	MATERIAL	SHAPE		DIMENSIONS (IN.)	SUBMERGED
☐ **Closed Pipe**	☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Steel ☐ Other:_____	☐ Circular ☐ Eliptical ☐ Box ☐ Other: _____	☐ Single ☐ Double ☐ Triple ☐ Other: _____	Diameter/Dimensions: _____ _____	In Water: ☐ No ☐ Partially ☐ Fully With Sediment: ☐ No ☐ Partially ☐ Fully
☐ **Open drainage**	☐ Concrete ☐ Earthen ☐ rip-rap ☐ Other: _____	☐ Trapezoid ☐ Parabolic ☐ Other: _____		Depth: _____ Top Width: _____ Bottom Width: _____	
☐ **Headwall**	☐ Dry Laid Stone ☐ Stone & Mortar ☐ Concrete ☐ Other: _____	☐ Rectangular ☐ Wingwalls Present		Length:_____ft-in Width:_____ft-in Height:_____ft-in	

Section 3: Quantitative Characterization

FIELD DATA FOR FLOWING OUTFALLS			
PARAMETER	**RESULT**	**UNIT**	**EQUIPMENT**
Flow depth		In	Tape measure
Flow width	_____' _____"	Ft, In	Tape measure
Measured length	_____' _____"	Ft, In	Tape measure
Time of travel		S	Stop watch

Section 4: Physical Characteristics for Flowing Outfalls Only

Are Any Physical Indicators Present in the flow? ☐ Yes ☐ No (*If No, Skip to Section 5)*

INDICATOR	CHECK if Present	DESCRIPTION	RELATIVE SEVERITY INDEX (1-3)		
Odor	☐	☐ Sewage ☐ Rancid/sour ☐ Petroleum/gas ☐ Sulfide ☐ Other:	☐ 1 – Faint	☐ 2 – Easily detected	☐ 3 – Noticeable from a distance
Color	☐	☐ Clear ☐ Brown ☐ Gray ☐ Yellow ☐ Green ☐ Orange ☐ Red ☐ Other:	☐ 1 – Faint colors in sample bottle	☐ 2 – Clearly visible in sample bottle	☐ 3 – Clearly visible in outfall flow
Turbidity	☐	See severity	☐ 1 – Slight cloudiness	☐ 2 – Cloudy	☐ 3 – Opaque
Floatables (Includes Trash)	☐	☐ Sewage (Toilet Paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other:	☐ 1 – Few/slight; origin not obvious	☐ 2 – Some; indications of origin (e.g., possible suds or oil sheen)	☐ 3 - Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)

Section 5: Physical Characteristics for Both Flowing and Non-Flowing Outfalls

Are physical indicators present that are not related to flow? ☐ Yes ☐ No

INDICATOR	CHECK if Present	DESCRIPTION	COMMENTS
Outfall Damage	☐	☐ Spalling, Cracking or Chipping ☐ Peeling Paint ☐ Corrosion	
Headwall Damage	☐	☐ Spalling, Cracking or Chipping ☐ Peeling Paint ☐ Corrosion	
Deposits/Stains	☐	☐ Oily ☐ Flow Line ☐ Paint ☐ Other:	
Abnormal Vegetation	☐	☐ Excessive ☐ Inhibited	
Poor pool quality	☐	☐ Odors ☐ Colors ☐ Floatables ☐ Oil Sheen ☐ Suds ☐ Excessive Algae ☐ Other:	
Pipe benthic growth	☐	☐ Brown ☐ Orange ☐ Green ☐ Other:	

Appendix H

Supporting Documentation for Construction Site Stormwater Runoff Control MCM

Village of Wappingers Falls, NY
Friday, November 27, 2015

Chapter 131. Stormwater Management

Article I. Erosion and Sediment Control

§ 131-1. Legislative findings.

It is hereby determined that:

A. Water is of paramount importance to the Village and its residents and this is evidenced by the very name of the Village of Wappingers Falls. The depth of Wappingers Lake has been greatly reduced by silt created by land development activities flowing into the lake.

B. Because of silt, and other materials, Wappingers Lake has been placed on the New York State Department of Environmental Conservation List of Impaired Waters pursuant to § 303(d) of the Federal Clean Water Act and is listed in Part 3a, Waterbody Segments Requiring Verification of Impairment.

C. 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.

D. This stormwater runoff contributes to increased quantities of waterborne pollutants, including siltation of aquatic habitat for fish and other desirable species.

E. Clearing, grading, excavating, soil disturbance or placement of fill during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat.

F. Improper design, maintenance and construction of stormwater management practices can increase the velocity of stormwater runoff, thereby increasing streambank erosion and sedimentation.

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

H. Substantial economic losses can result from these adverse impacts on the waters of the Village.

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

J. 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.

K.

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

L. The Village Board of Trustees finds that the Municipal Stormwater Management provisions adopted herein are consistent with the guidelines set forth in Greenway Connections. In its deliberations on any discretionary actions under this chapter, the Stormwater Management Officer and other approving agencies of the Village of Wappingers Falls shall consider the statement of policies, principles and guidelines in Greenway Connections as they deem appropriate and relevant in its deliberations on such discretionary actions.

§ 131-2. Legislative intent.

The purpose of this article is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the legislative findings in § **131-1** hereof. This article seeks to meet those purposes by achieving the following objectives:

A. Adopt minimum control measures 4 and 5 for a Stormwater Management Program as set forth in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems Permit No. GP-02-02, effective January 8, 2003 as amended, revised or superseded.

B. Further implement the Village of Wappingers Falls Stormwater Management Program as required under New York State MS4 SPDES No. _____.

C. Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, as amended or revised.

D. Comply with the applicable federal regulations for small municipal separate storm sewer systems (MS4s) promulgated by the United States Environmental Protection Agency pursuant to the Clean Water Act (33 U.S.C. § 1251 et seq.).

E. Minimize increases in the rate of 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.

F. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade the quality of the water in Wappingers Lake, Wappingers Creek and other local water bodies.

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

H. 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.

§ 131-3. Definitions.

Whenever used in this chapter, unless a different meaning is stated in a definition applicable to only a portion of this chapter, the following terms will have meanings set forth below:

303(d) LIST

A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the New York State DEC as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

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

Any individual or individuals, firm, partnership, association, corporation, company, organization or other legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof, filing an application for a land development activity subject to the provisions of this chapter.

BEST MANAGEMENT PRACTICES (BMPs)

Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater 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.

BUILDING

The term "building" as defined in § **151-3** of the Village Code now or as hereafter amended.

CHANNEL

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

CLEAN WATER ACT

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

CLEARING

Any activity that removes the vegetative surface cover.

CONSTRUCTION ACTIVITY

Activities requiring authorization under the SPDES Permit for Stormwater Discharges From Construction Activity, GP-02-01, as amended or revised. These activities include construction projects resulting from land disturbances of one or more acres. Such activities include but are not limited to clearing, grubbing, grading, excavating and demolition.

DEDICATION

The deliberate conveyance 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 or any superseding publication issued by the New York State Department of Environmental Conservation.

DESIGN PROFESSIONAL

A New York State licensed professional engineer or architect.

DEVELOPER

A person who undertakes land development activities.

EPA

United States Environmental Protection Agency.

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," or any superseding publication issued by the New York State Department of Environmental Conservation.

GRADING

Excavation or fill of material, including the resulting conditions thereof.

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.

ILLICIT DISCHARGE

Any direct or indirect nonstormwater discharge to the MS4, except as exempted in § **131-16B** of this chapter.

ILLICIT CONNECTIONS

Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the MS4, including but not limited to:

A. Any conveyances which allow any nonstormwater discharge, including but not limited to treated or untreated sewage, process wastewater, and wash water to enter the MS4 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

B. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps or equivalent records and approved by an authorized enforcement agency.

IMPERVIOUS COVER

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

INDUSTRIAL ACTIVITY

Activities requiring the SPDES Permit for Discharges From Industrial Activities Except Construction, GP-98-03, as amended or revised.

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.

LAND DEVELOPMENT ACTIVITY

Any construction or demolition activity including clearing, grubbing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre, or activities disturbing less than one 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.

MS4

Municipal separate storm sewer system.

MUNICIPAL SEPARATE STORM SEWER SYSTEM

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

A. Owned or operated by the Village of Wappingers Falls;

B. Designed or used for collecting or conveying stormwater;

C. Which is not a combined sewer; and

D. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

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.

NONSTORMWATER DISCHARGE

Any discharge to the MS4 that is not composed entirely of stormwater.

NPDES PERMIT (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT)

A permit issued by the EPA pursuant to § 402 of the Clean Water Act and the regulations promulgated thereunder.

NYSDEC

The New York State Department of Environmental Conservation.

PERSON

Any individual or individuals, firm, partnership, association, corporation, company, organization or other legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

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

Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water, which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.

PREMISES

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

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.

SILVICULTURAL

Of or relating to the management and care of forests.

SPDES PERMIT (STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE PERMIT)

A permit issued by the NYSDEC that authorizes the discharge of pollutants to waters of New York State.

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 or any successor permit under the Federal Clean Water Act and the Environmental Conservation Law.

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 or any successor permit under the Federal Clean Water Act and the Environmental Conservation Law.

SPECIAL CONDITIONS

A. Discharge compliance with water quality standards: the condition that applies where the Village has been notified by the NYSDEC or the EPA that the discharge of stormwater authorized under their MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition, the Village must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

B. 303(d) listed waters: the condition in the Village's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition, the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

C. Total maximum daily load (TMDL) strategy: the condition in the Village's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by the EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the Village was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

D. The condition in the Village's MS4 permit that applies if a TMDL is approved in the future by the EPA for any water body or watershed into which an MS4 discharges: Under this condition, the Village must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the Village must, within six months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STABILIZATION

The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER

An order issued by the duly authorized municipal authority which requires that all land development activity and other 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 nonstructural 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 (SMO)

The Village of Wappingers Falls Director of Code Enforcement. As provided for in this chapter, the Director of Code Enforcement may delegate his or her powers and duties to Code Enforcement Officers of the Village and may retain professional consultants to assist in the administration and enforcement of this chapter.

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 waters), 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 a disposal area in wetlands) nor resulted from impoundment of waters of the state.

TOTAL MAXIMUM DAILY LOAD (TMDL)

The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water allocated among the sources of that pollutant.

VILLAGE

The Village of Wappingers Falls, New York.

WASTEWATER

Water that is not stormwater, is contaminated with pollutants, and is or will be discarded.

WATERCOURSE

A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

§ 131-4. Applicability.

A. All land development activities, as such are defined in § 131-3Y of this article, including but not limited to land development activities subject to review and approval by the Village Board of Trustees, Planning Board, the Zoning Board of Appeals of the Village or the Code Enforcement Officer under subdivision, site plan, special permit, floodplain development permit, excavation permit, zoning permit and/or other land use permit regulations, shall be reviewed subject to the standards contained in this chapter.

B. It shall be unlawful for any person to engage in a land development activity, other than an exempt activity as defined in § **131-5**, without a stormwater pollution prevention plan approved by the Stormwater Management Officer or other approving authority as specified in Subsection **C** below.

C. The Stormwater Management Officer shall accept, review and be the approving authority for all stormwater pollution prevention plans (SWPPP), except as follows:

(1)

The Village Board shall be the approving authority for any application involving property that is also the subject of a pending special permit or other land use application before the Village Board in accordance with the provisions of the Village Code.

(2) The Planning Board shall be the approving authority for any application involving property that is also the subject of a pending site plan, subdivision, special permit or other land use application before the Planning Board in accordance with the provisions of the Village Code.

(3) The Zoning Board of Appeals shall be the approving authority for any application involving property that is also the subject of a pending variance, special permit, and other land use application before the Zoning Board of Appeals in accordance with the provisions of the Village Code.

D. The Stormwater Management Officer, or the approving authority listed in Subsection **C** above, may engage the services of a licensed professional engineer to review the plans, specifications and other documents related to the SWPPP. The applicant shall be responsible for payment of the fees of the engineer engaged by the Stormwater Management Officer in accordance with the provisions of § **151-26B** of the Village Code.

§ 131-5. Exemptions.

The following activities shall be exempt from review under this chapter:

A. Agricultural activity as defined in this chapter.

B. Silvicultural activity, except that landing areas and log haul roads are subject to this chapter.

C. Repairs and routine property maintenance activities that disturb less than one acre and maintain the original line and grade.

D. Repairs and routine maintenance to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

E. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Wappingers Falls on or before the effective date of this chapter.

F. Land development activities for which a building permit has been approved and is still in effect on or before the effective date of this chapter.

G. Cemetery graves.

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

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

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

K. Landscaping and horticultural activities in connection with an existing noncommercial structure.

§ 131-6. Stormwater pollution prevention plans.

A. No application for approval of a land development activity shall be reviewed until the appropriate approving authority has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.

B. 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.

(2) Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water (s); 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 discharges(s). The site map shall be at a scale no smaller than one inch equals 50 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 acres shall be disturbed at any one time unless pursuant to an approved SWPPP. The Village may opt to reduce the amount of land that may be exposed at any one time.

(5) Description of the pollution prevention measures that will be used to control construction materials, chemicals and 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 a 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 closeout.

(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 will remain in place until the site is stabilized.

(12) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice.

(13) Name(s) of the receiving water(s) and NYSDEC classification(s), if applicable.

(14) Delineation of SWPPP implementation responsibilities for each part of the site.

(15)

Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

(16) Any existing data that describes the stormwater runoff at the site.

(17) An acknowledgement by the landowner granting to the Village and other agencies having jurisdiction the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.

C. Land development activities that cause stormwater runoff of the type listed in this subsection shall provide, as applicable, postconstruction stormwater runoff controls:

(1) Stormwater runoff from land development activities discharging a pollutant of concern to an impaired water identified on the Department's 303(d) list of impaired waters;

(2) Stormwater runoff from land development activities discharging a pollutant of concern to total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment;

(3) Stormwater runoff from land development activities disturbing five or more acres; or

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

D. Postconstruction stormwater runoff controls. SWPPPs for land development activities listed in Subsection **C** shall provide following water quantity and/or water quality controls:

(1) All information required by Subsection **B**.

(2) Description of each postconstruction stormwater management practice;

(3) Site map/construction drawing(s) showing the specific location(s) and size(s) of each postconstruction 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 postdevelopment stormwater runoff conditions with predevelopment conditions;

(6) Dimensions, material specifications and installation details for each postconstruction stormwater management practice;

(7) Maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management practice;

(8) Maintenance easement(s), where required, 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; and

(9) Inspection and maintenance agreement recorded and binding on all subsequent landowners served by the on-site stormwater management measures in accordance with § **131-8F** of this chapter.

E. The SWPPP shall be prepared by a landscape architect, certified professional in erosion and sediment control, professional engineer, or other professional(s) deemed acceptable by the

NYSDEC and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this chapter.

F. The applicant shall assure 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.

G. Certification.

(1) Each contractor and subcontractor identified in the SWPPP and/or any successor or substitute contractor or subcontractor 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." Copies of these statements shall be delivered to the duly authorized municipal authority.

(a) 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.

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

(2) Proof that each contractor who will be involved in a land development activity has obtained training and/or certification in proper erosion and sedimentation control practices shall become part of the SWPPP for the land development activity.

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

§ 131-7. Performance and design criteria.

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

A. For the purpose of this chapter, 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 chapter. Copies of the two manuals are on file in the office of the Stormwater Management Officer.

(1) The Design Manual as defined in § 131-3L.

(2) The Erosion Control Manual as defined in § 131-3O.

B. Where stormwater management practices are not in accordance with technical standards, the owner, applicant or developer must demonstrate equivalence to the technical standards set forth in this section, and the SWPPP shall be prepared by a certified professional in erosion and sediment control, professional engineer or other professional(s) deemed acceptable by the NYSDEC.

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

§ 131-8. Maintenance, inspection and repair of stormwater facilities.

A. The owner, 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 chapter. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%, and placed in an acceptable location and properly stabilized.

B. The owner, applicant, developer or their representative shall be on site at all times when construction or grading activity takes place and shall maintain the effectiveness of all erosion and sediment control practices unless all construction, demolition or grading activity has ceased and the site has been stabilized to the satisfaction of the Stormwater Management Officer.

C. Inspection shall be conducted and inspection reports shall be completed by a certified professional in erosion and sediment control, professional engineer or other professional(s) deemed acceptable by the NYSDEC every seven days and within 24 hours of the conclusion of any storm event producing 0.5 inch of precipitation or more. The reports shall be maintained in a site logbook.

D. Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, other than one serving an individual single-family residence, the applicant or developer must execute an easement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall be in a form acceptable to the counsel to the Village and shall provide for access to the facility at reasonable times for periodic inspection by the Village, or its designee, to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village.

E. The owner or operator of permanent stormwater management facilities or practices installed in accordance with this chapter shall operate and maintain the stormwater management practices to achieve the goals of this chapter. Proper operation and maintenance also includes, as a minimum, the following:

   (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 chapter.

   (2) Written procedures for operation and maintenance and training new maintenance personnel.

   (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § **131-7C**.

F. Prior to the issuance of any final plan approval, the applicant or developer must execute a formal maintenance agreement for stormwater management facilities, other than those serving an individual single-family residence, binding on all subsequent landowners. The maintenance agreement shall be in a form acceptable to Village Counsel and shall be recorded in the office of the County Clerk as a deed restriction on the property. The Village of Wappingers Falls, 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 chapter and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

§ 131-9. Construction inspection, administration and maintenance.

A. In addition to the inspections required by § **131-8C**, the Stormwater Management Officer may require such other 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 Village enforcement officials at least 48 hours before any of the following as required by the Stormwater Management Officer:

(1) Start of construction;

(2) Installation of sediment and erosion control measures;

(3) Completion of site clearing;

(4) Completion of rough grading;

(5) Completion of final grading;

(6) Close of the construction season;

(7) Completion of final landscaping; or

(8) Successful establishment of landscaping in public areas.

B. 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.

C. All applicants are required to submit as-built plans for any stormwater management facilities and practices located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a New York State licensed land surveyor and a professional engineer.

D. Inspection programs may 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; inspections 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.

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

F. 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 and other agencies having jurisdiction the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.

G. Entities subject to this chapter shall maintain records demonstrating compliance with this chapter.

§ 131-10. Performance guarantee; maintenance guarantee; responsibility of landowner.

A. 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 in its approval of the stormwater pollution prevention plan, the Village 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 as the beneficiary. The security shall be in an amount to be determined by the Village based on submission of final design plans, 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, 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. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. 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 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 based upon the advice of the Village Engineer. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. It shall be the primary responsibility of the landowner and the successor landowners to perform all necessary inspections, maintenance, reporting, adjustments, repair, replacement and reconstruction of the stormwater management facilities. If, at any time, the Stormwater Management Officer determines that necessary inspections, reports, maintenance, repairs, adjustments, replacement or reconstruction have not been properly performed, the Village may undertake to perform any such work or work that it finds, in its sole judgment, is necessary to preserve the stormwater management functions of stormwater management practices (SMPs), at the cost and expense of the landowner and the successor landowners. Copies of all bills, statements and invoices substantiating such costs, including costs of consultants, shall be included with written notice of same. Each lot shall individually and separately bear its equal share of such costs and in the event that its share is not paid within 30 days of issuance of statements for this work, the amount of such share shall constitute a lien against such lot which shall be levied and collected in the same manner as Village real estate taxes or in such manner otherwise provided by law. The landowner and the successor lot landowner shall be personally liable for payments of their respective shares of all such costs, including costs of collection and reasonable attorney's fees.

§ 131-11. Enforcement.

A. When the Village determines that a land development activity is not being carried out in accordance with the requirements of this chapter, the SMO or a Code Enforcement Officer may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

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

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

(4) A description of the remedial measures necessary to bring the land development activity into compliance with this chapter 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; and

(6) A statement that the determination of violation may be appealed to the Village by filing a written notice of appeal within 15 days of service of notice of violation.

B. The SMO, a Code Enforcement Officer or the Town Engineer may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development activities and other construction activities on the site, except those activities, approved by the Village, that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village 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 chapter.

(1) A stop-work order may be issued by the Village Engineer or a Code Enforcement Officer.

(2) A stop-work order may be appealed by filing a written notice of appeal with the Village Board of Trustees not later than 30 days after service of the stop-work order upon the applicant. A hearing shall be scheduled by the Village Board of Trustees within 20 days of receipt of request for a hearing. After the close of the hearing, the Village Board of Trustees may confirm, modify or cancel the stop-work order.

(3) The approving authority shall set forth, in writing, in the permit application file it keeps its findings and reasons for revoking or suspending a permit pursuant to this section.

C. Any land development activity that is commenced or is conducted contrary to this chapter may be restrained by injunction from a court of competent jurisdiction or otherwise abated in any manner provided by this chapter.

D. In addition to any penalty provided herein or by law, any person in violation of this chapter may be required to restore land to its undisturbed condition and/or mitigate on-site and off-site damage from stormwater runoff, sediment or pollutants resulting from the violator's activities. In the event that restoration is not undertaken within a reasonable time after notice, the Village may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

E. If any building or land development activity is installed or conducted in violation of this chapter, no certificate of occupancy or certificate of compliance shall be issued for said building(s).

§ 131-12. Penalties for offenses.

A. A violation of any provision of this article is considered an offense and for a first offense a person is subject to a civil penalty of a minimum of $500 to a maximum of $1,000.

B.

A conviction of a second offense of the provisions of this article, both of which were committed within a period of five years, is considered a violation subject to a fine of $250 to $500 and/or a civil penalty of $750 to $1,500.

C. A conviction of a third offense of the provisions of this article, all of which were committed within a period of five years, is considered a violation with a penalty of a period of imprisonment of not to exceed 15 days, a fine, a civil penalty or any combination of the three.

(1) A fine under this subsection shall be a minimum of $500 to a maximum of $2,000.

(2) A civil penalty under this subsection shall be a minimum of $1,500 to $5,000;

D. Each week's continued violation shall constitute a separate additional offense.

[1] *Editor's Note: L.L. No. 8-2008, adopted 12-8-2008, created a uniform section for the application of penalties occurring when any ordinance, resolution or act of the Village is violated. See Ch. **1**, General Provisions, Art. **II**, General Penalty.*

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*** ALSO ADMITTED IN NJ
****ALSO ADMITTED IN FL & MA

September 27, 2010

Hon. John Karge
Village Clerk
Village of Wappingers Falls
2628 South Avenue
Wappingers Falls, New York 12590

Re: Local Law Regulating Stormwater Management and Illicit Discharges to Comply with MS-4
Certification by Village Attorney

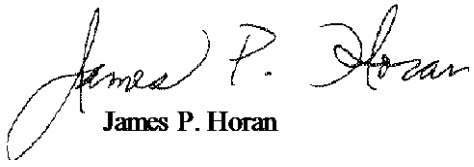
Dear Clerk Karge:

I am the Deputy Village Attorney and I drafted the Local Law the regulates Stormwater Management and Illicit Discharges to the Stormwater System that was adopted by the Board of Trustees of the Village of Wappingers Falls on November 14, 2007. The Local Law is codified at Chapter 131 of the Village of Wappingers Falls Code.

I hereby certify that the provisions of Chapter 131 of the Village of Wappingers Falls Code meet or exceed the minimum requirements set forth in the Sample Local Law for Stormwater Management and Erosion & Sediment Control promulgated by the New York State Department of Environmental Conservation.

If you have any further questions please contact me.

VERGILIS, STENGER, ROBERTS, DAVIS & DIAMOND, LLP



James P. Horan

JPH/so

cc: Mayor Alexander (via email)
Louis J. Viglotti, Esq. (via email)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Construction Stormwater Inspection Manual

Primarily for Government Inspectors Evaluating Compliance with Construction Stormwater Control Requirements

New York State
Department of Environmental Conservation

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Version 1.05 (8/27/07)

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1.0 INTRODUCTION AND PURPOSE

The New York State Department of Environmental Conservation Division of Water (DOW) considers there to be two types of inspections germane to construction stormwater; compliance inspections and self-inspections.

This manual is for use by DOW and other regulatory oversight construction stormwater inspectors in performing compliance inspections, as well as for site operators in performing self inspections. The manual should be used in conjunction with the *New York State Standards and Specifications for Erosion and Sediment Control*, August 2005.

1.1 Compliance Inspections

Regulatory compliance inspections are performed by regulatory oversight authorities such as DOW staff, or representatives of DOW and local municipal construction stormwater inspectors. These inspections are intended to determine compliance with the state or local requirements for control of construction stormwater through erosion and sediment control and post construction practices. Compliance inspections focus on determinations of compliance with legal and water quality standards. Typically, compliance inspections can be further sub-categorized to include comprehensive inspections, and follow-up or reconnaissance inspections.

Compliance inspectors will focus on determining whether:

- the project is causing water quality standard violations;
- the required Stormwater Pollution Prevention Plan (SWPPP) includes appropriate erosion and sediment controls and, to some extent, post construction controls;
- the owner/operator is complying with the SWPPP;
- where required, self-inspections are being properly performed; and
- where self-inspections are required, the owner/operator responds appropriately to the self-inspector's reports.

1.1.1 Comprehensive Inspection

Comprehensive inspections are designed to verify permittee compliance with all applicable regulatory requirements, effluent controls, and compliance schedules. This inspection involves records reviews, visual observations, and evaluations of management practices, effluents, and receiving waters.

Comprehensive inspections should be conducted according to a neutral or random inspection scheme, or in accordance with established priorities. A neutral monitoring scheme provides some objective basis for scheduling inspections and sampling visits by establishing a system (whether complex factor-based, alphabetic, or geographic) for setting prioritiesto ensure that a particular facility is not unfairly selected for inspection or sampling. The selection of which

facility to inspect must be made without bias to ensure that the regulatory oversight authority, if challenged for being arbitrary and capricious manner, can reasonably defend itself.

A neutral inspection scheme should set the criteria the inspector uses to choose which facilities to inspect, but the schedule for the actual inspection should remain confidential, and may be kept separate from the neutral plan.

A routine comprehensive compliance inspection is most effective when it is unannounced or conducted with very little advance warning.

1.1.2 Reconnaissance Inspection

A reconnaissance inspection is performed in lieu of, or following a comprehensive inspection to obtain a preliminary overview of an owner/operator's compliance program, to respond to a citizen complaint, or to assess a non-permitted site. The inspector performs a brief (generally about an hour) visual inspection of the site, discharges and receiving waters. A reconnaissance inspection uses the inspector's experience and judgement to summarize potential compliance problems, without conducting a full comprehensive inspection. The objective of a reconnaissance inspection is to expand inspection coverage without increasing inspection resource expenditures. The reconnaissance inspection is the shortest and least resource intensive of all inspections.

Reconnaissance inspections may be initiated in response to known or suspected violations, a public complaint, a violation of regulatory requirements, or as follow-up to verify that necessary actions were taken in response to a previous inspection.

1.2 Self-inspections

For some projects, the site owner/operator is required by their State Pollutant Discharge Elimination System (SPDES) Permit and/or local requirements to have a qualified professional[1] perform a "self-inspection" at the site. In self-inspections, the qualified professional determines whether the site is being managed in accordance with the SWPPP, and whether the SWPPP's recommended erosion and sediment controls are effective. If activities are not in accordance with the SWPPP, or if the SWPPP erosion and sediment controls are not effective, the qualified professional inspecting the site recommends corrections to the owner/operator.

[1] A "Qualified professional" is a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer, Certified Professional in Erosion and Sediment Control (CPESC), licensed landscape architect or soil scientist.

2.0 PRE-INSPECTION ACTIVITIES

2.1 Regulatory Oversight Authorities

This section is intended for inspectors with regulatory oversight authority such as agents of the DOW or a local municipality, or others acting on their behalf, such as county Soil and Water Conservation District staff. Examples of other regulatory oversight authorities include: the United States Environmental Protection Agency (EPA); New York City Department of Environmental Protection (DEP), Adirondack Park Agency (APA); the Lake George Park Commission (LGPC), and the Skaneateles Lake Watershed Authority (SLWA). Before arriving on-site to conduct the inspection, considerations concerning communication, documentation and equipment must be made.

Regulatory oversight authority is granted by state or local law to government agencies or, depending upon the particular law, an authorized representative of state or local government. SPDES rules 6 NYCRR 750-2.3 and Environmental Conservation Law 17-0303(6) and 17-0829(a) all allow for authorized representatives of the (NYSDEC) commissioner to perform all the duties of an inspector.

2.1.1 Communication

Coordination with Other Entities

Where appropriate, prior to selecting sites for inspection, compliance inspectors should communicate with other regulatory oversight authorities to avoid unnecessary duplication or to coordinate follow-up to inspections performed by other regulatory oversight authorities.

Announced vs. Unannounced Inspection

Inspections may be announced or unannounced. Each method has its own advantages and disadvantages. Unannounced inspections are preferred, however many job sites are not continuously manned, or not always staffed by someone who is familiar with the SWPPP, thus necessitating an announced inspection. As an alternative, when an announced inspection is necessary, inspectors should try to give as little advanced warning as possible (24 hours is suggested).

Itinerary

For obvious safety reasons, inspectors should be sure to inform someone in their office which site or sites they will be visiting prior to leaving the to perform inspections.

2.1.2 Documentation

Data Review

The inspector should review any available information such as:

- Notice of Intent
- Stormwater Pollution Prevention Plan
- Past inspection records
- Phasing plan

- Construction sequence
- Inspection and Maintenance schedules
- Site specific issues
- Consent Orders
- Access agreements

Inspection Form

The inspector should have copies of, and be familiar with, the inspection form used by their regulatory oversight authority (example in Attachment 1) before leaving the office. Static information such as name, location and permit number can be entered onto the inspection form prior to arriving at the inspection site.

Credentials

Inspectors should always carry proper identification to prove that they are employed by an entity with jurisdictional authority. Failure to display proper credentials may be legal grounds for denial of entry to a site.

2.1.3 Equipment

Personal Protective Equipment

DOW employees must conform to the DOW Health and Safety policy as it relates to personal protective equipment. Other regulatory oversight authorities should have their own safety policies or, if not, may wish to consult the OSHA health and safety tool at: www.osha.gov/dep/etools/ehasp/ to develop a health and safety plan.

The following is a list of some of the most common health and safety gear that may be needed:

- Hard hat (Class G, Type1 or better)
- Safety toe shoes
- Reflective vest
- Hearing protection (to achieve 85 dBA - 8 hr TWA)
- Safety glasses with side shields

If the construction is on an industrial site or a hazardous waste site, special training may be required prior to entering the site. The inspector should consult with OSHA or NYSDEC prior to entering such a site.

Monitoring Equipment

The following is a list of some equipment that may be helpful to document facts and verify compliance:

- Digital Camera
- Measuring tape or wheel
- Hand level or clinometer
- Turbidity meter (in limited circumstances)

2.2 Permittee's Self-inspection

This section is intended for qualified professionals who conduct site self-inspections on behalf of owner/operators. Self-inspectors are responsible for performing inspections in accordance with permit requirements and reporting to site owners and operators the results and any recommendations resulting from the inspection.

Prior to conducting inspections, qualified professionals should ensure familiarity with the Stormwater Pollution Prevention Plan and previous inspection reports.

3.0 ON-SITE INSPECTION PROCESS

3.1 Compliance Inspections

3.1.1 Professionalism

Don't Pretend to Possess Knowledge

Unless the inspector has experience with a particular management practice, do not pretend to possess knowledge. Inspectors cannot be expert in all areas; their job is to collect information, not to demonstrate superior wisdom. Site operators are often willing to talk to someone who is inquisitive and interested. Within reason, asking questions to obtain new information about a management practice, construction technique or piece of equipment is one of the inspector's main roles in an inspection.

Don't Recommend Solutions

The inspector should not recommend solutions or endorse products. The solution to a compliance problem may appear obvious based on the inspector's experience. However, the responsibility should be placed on the site owner to implement a workable solution to a compliance problem that meets NYSDEC standards. The inspector should refer the site operator to the New York Standards and Specifications for Erosion and Sediment Control (the Blue Book) or the New York State Stormwater Management Design Manual (the Design Manual).

Key advice must be offered carefully. One experienced stormwater inspector suggests saying: "I can't direct you or make recommendations, but what we've seen work in other situations is ..."

The way inspectors present themselves is important to the effectiveness of the inspection. An inspector cannot be overly familiar, but will be more effective if able to establish a minimum level of communication.

3.1.2 Safety

DOW employees must conform to Division health and safety policies when on a construction site. Other regulatory oversight authorities should have their own safety policies or, if not, may

wish to consult the OSHA health and safety tool at:

www.osha.gov/dep/etools/ehasp to develop a health and safety plan.

Some general protections for construction sites are:

- Beware of heavy equipment, avoid operator blind spots and make sure of operator eye contact around heavy equipment.
- Avoid walking on rock rip-rap if possible. Loose rock presents a slip hazard.
- Stay out of confined spaces like tanks, trenches and foundation holes.
- Avoid lightning danger. Monitor weather conditions, get out of water, avoid open areas and high points, do not huddle in groups or near trees.
- Protect yourself from sun and heat exposure. Use sun screen or shading clothing. Remain hydrated by drinking water, watching for signs of heat cramps, exhaustion (fatigue, nausea, dizziness, headache, cool or moist skin), or stroke (high body temperature; red, hot and dry skin)
- Protect yourself from cold weather. Wear multiple layers of thin clothing. Wear a warm hat. Drink warm fluids or eat hot foods, and keep dry.
- Avoid scaffolding in excess of 4 feet above grade.
- Beware of ticks, stinging insects, snakes and poison ivy or sumac.

3.1.3 Legal access

DOW has general powers, set forth under ECL 17-0303, subparagraph 6, to enter premises for inspections. In addition, ECL 3-0301.2 conveys general statutory authority granting the DOW the power to access private property to fulfill DOW obligations under the law.

ECL 15-0305 gives the DOW the authority to enter at all times in or upon any property, public or private, for the purpose of inspecting or investigating conditions affecting the construction of improvements to or developments of water resources for the public health, safety or welfare.

ECL 17-0829 allows an authorized DOW representative, upon presentation of their credentials, to enter upon any premises where any effluent source is located, or in which records are required to be maintained. The representative may at reasonable times have access to, and sample discharges/pollutants to the waters or to publicly owned treatment plants where the effluent source is located. This subparagraph provides DOW representatives performing their duties authority to enter a site to pursue administrative violations. Pursuing criminal violations may require a warrant or the owner's permission to enter the site.

For sites that are permitted, DOW has authority under the permit to enter the site.

If the owner/operator's representatives onsite deny access, the inspector *should not* physically force entry. Under these circumstances the attorney representing the inspector should be immediately notified and consideration should be given to soliciting the aid of a law officer to obtain entry.

DOW staff have the right to enter at any reasonable time. If no one is available, and the site is fenced or posted, DOW staff should make all reasonable efforts to identify, contact and notify the owner that the DOW is entering the site. If the inspector has made all reasonable efforts to contact site owners, but was unable to do so, the site can then be accessed. All efforts should be taken not to cause any damage to the facility.

Other regulatory oversight authorities should seek advice on their legal authorities to enter a job site. Municipalities that have adopted Article 6 of the New York State Sample Local Law for Stormwater Management and Erosion and Sediment Control (NYSDEC, 2004, updated 2006) will have legal authority to enter sites in accordance with that chapter and any other existing municipal authority .

Agents of DOW have authority similar DOW staff authority to enter sites. However, DOW staff enjoy significant personal liability protections as state employees. That liability protection may not be the same for authorized representatives of DOW. For authorized representatives of DOW (or other regulatory oversight authorities), it is prudent to obtain permission to enter the site. If such permission is denied, the authorized representatives should inform the appropriate DOW contact, usually the regional water manager.

3.1.4 Find the Legally Responsible Party (Construction Manager, Self-inspector)

The first action a compliance inspector should take upon entering a construction site is to find the construction trailer or the construction or project manager if they are available. The inspector should present appropriate identification to the site's responsible party and state the reason for the inspection; construction stormwater complaint response or neutral construction stormwater inspection. If the inspection is initiated as a response to a complaint, frequently the responsible party will ask who made the complaint. DOW keeps private individual complainants confidential. If the complainant is another regulatory oversight authority, DOW tends to make that known to the site's responsible party.

3.1.5 On-site records review (NOI, SWPPP, Self-inspection Reports, Permit)

Generally, the compliance inspector should next review the on-site records. Verify that a copy of the construction stormwater permit and NOI are on-site. Verify that the acreage, site conditions, and receiving water listed on the NOI are accurate. Compare the on-site documentation with documentation already submitted to, or obtained by the compliance inspector.

If the SWPPP has not been reviewed in the office, verify that it exists and contains the minimum required components (16 for a basic plan and 22 for a full plan). On-site review of the SWPPP should determine if: there is an appropriate phasing plan; the acreage disturbed in each phase, construction sequence for each phase; proposed implementation of erosion and sediment control measures; and, where required, post construction controls. For each of the erosion and sediment control practices, the SWPPP must show design details in accordance with the NYS Standards for Erosion and Sediment Controls. The SWPPP must also include provisions for maintenance of practices during construction. On-site review of post construction controls is generally limited to verification that the proposed stormwater management practices are shown on the site plan.

Where self-inspections are required, self-inspection reports are a significant tool for the compliance inspector to determine the performance history of the site. The self-inspection reports should be done with the required frequency . Self-inspection reports must include all the details required by the permit. Generally, it is desirable for permit information to be shown on a site plan. The compliance inspector should become familiar with the report and use that familiarity to judge whether the self-inspections are being performed correctly and that the site operator is correcting deficiencies noted in the report.

3.1.6 Walk the Site

During wet weather conditions, it may be advantageous to observe the receiving waters prior to walking the rest of the site. At some point during the inspection, the receiving water conditions must be observed and noted. It is critical to note if there is a substantial visible contrast to natural conditions, or evidence of deposition, streambank erosion, construction debris or waste materials (e.g. concrete washdown) in the receiving stream.

Each inspector should evaluate actual implementation and maintenance of practices on-site compared to how implementation and maintenance is detailed in the SWPPP. At a minimum, the compliance inspector should observe all areas of active construction. Observing equipment or materials storage, recently stabilized areas, or stockpile areas is also appropriate to evaluate the effectiveness of management practices.

3.1.7 Taking Photographs

Evidence of poor receiving water conditions and poor or ineffective practices should be documented with digital photographs. Those photographs should be logged date stamped and stored on media that cannot be edited (e.g. write only CDs). Photos should also be appended to the site inspector's report.

It is also beneficial to take photographs of good practices for educational and technology transfer reasons.

3.1.8 Exit Interview

Clearly communicate expectations and consequences. If it is clear from the inspection that the owner/operator must modify the SWPPP, or modify management practices within an assigned period (e.g. 24 hours, 48 hours, one week, two weeks), then that finding should be communicated at the time of the exit interview. The inspector should assign the period based on factors such as how long it would reasonably take to complete such modifications and the level of risk to water quality associated with failure to make such modifications.

The inspector should make clear that NYSDEC reserves rights to future enforcement actions. If the inspector's supervisor or enforcement coordinator determines additional enforcement actions are necessary, the inspector *should not* reassure the owner/operator that the current situation is acceptable.

3.2 Non-permitted Site Inspections

For sites not authorized in accordance with state or local laws, the process will be abbreviated. First verify the need for authorization and observe receiving waters to detect water quality standard violations. If there is a violation, notify the owner of the violation or other compliance actions in response to their illicit activity. For DOW staff, Attachment 2 or a similar notice can be used to notify the site owner/operator that stormwater authorization is required.

3.3 Self-inspections

The role of the self-inspector is to verify that the site is complying with stormwater requirements. In particular, the self-inspector verifies that the SWPPP is being properly implemented. The self-inspector also documents SWPPP implementation so regulatory agencies can review implementation activities.

It is <u>not</u> the role of the self-inspector to report directly to regulatory authorities.

Appendix H of *The New York Standards and Specifications for Erosion and Sediment Control* - August 2005 (the Blue Book) includes a Construction Duration Inspection checklist that can be used by the owner/operators qualified professional for self-inspections. The Blue Book is available on the NYSDEC website.

3.3.1 Purpose

The self inspector should ensure that the project's SWPPP is being properly implemented. This includes ensuring that the erosion and sediment control practices are properly installed and being maintained in accordance with the SWPPP/Blue Book.

The project must be properly phased to limit the disturbance to less than five acres, and the construction sequence for each phase must be followed. The SWPPP must also be modified to address evolving circumstances. Finally, and most importantly, receiving waters must be protected.

If a soil disturbance will be greater than five acres at any given time, the site operator must obtain written permission from the DOW regional office.

3.3.2 Pre-construction Conference

The parties responsible for various aspects of stormwater compliance should be identified at the pre-construction conference. Responsible parties may include, but are not limited to, owner's engineer, owner/operator/permittee, contractors, and subcontractors.

Typical responsibilities include: installation of erosion and sediment control (E & SC) practices; maintenance of E & SC practices, inspection of E&SC practices, installation of post construction stormwater management practices (SMPs), inspection of post construction SMPs, SWPPP revisions, and contractor direction.

All parties should clearly know what is expected of them. Responsible parties should complete the Pre-construction Site Assessment Checklist provided in Appendix H of the Blue Book.

3.3.3 Inspection Preparation

The inspector should review the project's SWPPP (including the phasing plan, construction sequence and site specific issues) and the last few inspection reports (if the inspector has them available).

3.3.4 Self-inspection Components

Inspect installation, performance and maintenance of all E&SC practices

The self inspector should inspect all areas that are under active construction or disturbance and areas that are vulnerable to erosion. The self-inspector should also inspect areas that will be disturbed prior to the next inspection for measures required prior to construction (e.g. silt barriers, stabilized construction entrance, diversions). Finally, self-inspectors should inspect post-construction controls during and after installation.

Identify site deficiencies and corrective measures

The self-inspector's reports must be maintained in a log book on site and the log book must be made available to the regulatory authorities. Although the legal responsibility for filing a Notice of Termination lies with the owner/operator, the self-inspector may also be called upon to perform a final site inspection, including post construction SMPs, prior to filing the Notice of Termination.

4.0 POST-INSPECTION ACTIVITIES

4.1 Regulatory Oversight Authorities

This section is intended for inspectors with regulatory oversight authority such as agents of the DOW or a local municipality, or others acting on their behalf (such as County Soil and Water Conservation District staff.) Upon completion of an inspection, inspection results should be documented for the record.

4.1.1 Written Notification

The inspector should inform the permittee or the on-site representative of their inspection results in writing by sending the permittee a complete, signed copy of the inspection report. The inspection report should be transmitted under a cover letter which elaborates on any deficiencies noted in the inspection report. It is not a good idea to commend exceptional efforts by the owner/operator in a letter, because such letters tend to undermine enforcement efforts when compliance status at a site degrades.

The inspector should consider providing a copy of the cover letter and inspection report to other parties with including:

- Permittee
- Contractor(s)
- Other regulatory oversight authorities
- Other parties present during the inspection (e.g. SWPPP preparer, permittee's self-inspector, etc.)

For DOW staff, an example of the inspection cover letter is included as Attachment 3.

4.1.2 Inspection Tracking

DOW staff must enter their inspection results into the electronic *Water Compliance System*.

Local municipalities and other regulatory oversight authorities are encouraged to develop an electronic tracking system in which to record their inspections.

4.2 Permittee's Self-inspections

This section is intended for qualified professionals who conduct site inspections for permittees in accordance with a SPDES permit or local requirements.

4.2.1 Written Records

Inspection Reports

The inspector shall prepare a written report summarizing inspection results. The inspection report is then provided to the permittee, or the permittee's duly authorized representative, and to the contractor responsible for implementing stormwater controls on-site in order to correct deficiencies noted in the inspection report. Finally, the inspection report must be added to the site log book that is required to be maintained on-site, and be available to regulatory oversight authorities for review.

4.2.2 Stormwater Pollution Prevention Plan Revisions

The inspector must inform the permittee of his/her duty to amend the Stormwater Pollution Prevention Plan (SWPPP) whenever an inspection proves the SWPPP to be ineffective in:

- Eliminating or significantly minimizing pollutants from on-site sources
- Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity
- Eliminating discharges that cause a substantial visible contrast to natural conditions

ATTACHMENT 1

Construction Stormwater Compliance Inspection Report

Project Name and Location: Municipality: County:	Date:	Page 1 of 2
	Permit # (if any): **NYR**	
	Entry Time:	Exit Time:
On-site Representative(s) and contact information:	Weather Conditions:	
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: Contacted: Yes ☐ No ☐		

INSPECTION CHECKLIST

SPDES Authority

	Yes	No	N/A		Law, rule or permit citation
1.	☐	☐	☐	Is a copy of the NOI posted at the construction site for public viewing?	
2.	☐	☐	☐	Is an up-to-date copy of the signed SWPPP retained at the construction site?	
3.	☐	☐	☐	Is a copy of the SPDES General Permit retained at the construction site?	

SWPPP Content

	Yes	No	N/A		Law, rule or permit citation
4.	☐	☐	☐	Does the SWPPP describe and identify the erosion & sediment control measures to be employed?	
5.	☐	☐	☐	Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures?	
6.	☐	☐	☐	Does the SWPPP describe and identify the post-construction SW control measures to be employed?	
7.	☐	☐	☐	Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	
8.	☐	☐	☐	Does the SWPPP include all the necessary 'CONTRACTOR CERTIFICATION' statements?	
9.	☐	☐	☐	Is the SWPPP signed/certified by the permittee?	

Recordkeeping

	Yes	No	N/A		Law, rule or permit citation
10.	☐	☐	☐	Are inspections performed as required by the permit (every 7 days and after ½" rain event)?	
11.	☐	☐	☐	Are the site inspections performed by a qualified professional?	
12.	☐	☐	☐	Are all required reports properly signed/certified?	
13.	☐	☐	☐	Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status?	

Visual Observations

	Yes	No	N/A		Law, rule or permit citation
14.	☐	☐	☐	Are all erosion and sediment control measures installed/constructed?	
15.	☐	☐	☐	Are all erosion and sediment control measures maintained properly?	
16.	☐	☐	☐	Have all disturbances of 5 acres or more been approved prior to the disturbance?	
17.	☐	☐	☐	Are stabilization measures initiated in inactive areas?	
18.	☐	☐	☐	Are permanent stormwater control measures implemented?	
19.	☐	☐	☐	Was there a discharge into the receiving water on the day of inspection?	
20.	☐	☐	☐	Are receiving waters free of there evidence of turbidity, sedimentation, or oil ? (If no , complete Page 2)	

Overall Inspection Rating: ❑ Satisfactory ❑ Marginal ❑ Unsatisfactory	
Name/Agency of Lead Inspector:	**Signature of Lead Inspector:**
Names/Agencies of Other Inspectors:	

Water Quality Observations

Describe the discharge(s) [source(s), impact on receiving water(s), etc.] ______________________________

Describe the quality of the receiving water(s) both upstream and downstream of the discharge______________________________

Describe any other water quality standards or permit violations ______________________________

Additional Comments:______________________________

☐ Photographs attached

ATTACHMENT 2

**** NOTICE ****

On March 10, 2003, provisions of the Federal Clean Water Act went into effect that apply to many construction operations.

If your construction operations result in the disturbance of one acre or greater and stormwater runoff from your site reaches surface waters (i.e., lake, stream, road side ditch, swale, storm sewer system, etc.), the stormwater runoff from your site must be covered by a State Pollutant Discharge Elimination System (SPDES) Permit issued by the New York State Department of Environmental Conservation (NYSDEC).

To facilitate your compliance with the law, NYSDEC has issued a General Permit which may be applicable to your project. To obtain coverage under this General Permit, you need to prepare a Stormwater Pollution Prevention Plan (SWPPP) and then file a Notice of Intent (NOI) to the NYSDEC headquarters in Albany. The NOI form is available on the DEC website. You may also obtain a copy of the NOI form at the nearest NYSDEC regional offices.

When you file your NOI you are certifying that you have developed a SWPPP and that it will be implemented prior to commencing construction. When you submit the NOI you need to indicate if your SWPPP is in conformance with published NYSDEC technical standards; if it is, your SPDES permit coverage will be effective in as few as five business days. If your SWPPP does not conform to the DEC technical standards, coverage will not be available for at least 60 business days.

Failure to have the required permit can result in legal actions which include Stop Work Orders and/or monetary penalties of up to $37,500/day

If your construction operations are already in progress and you are not covered by an appropriate NYSDEC permit contact the NYSDEC Regional Water Engineer as soon as possible. If your construction field operations have not yet commenced, review the NOI and the General Permit on the DEC's website or at the DEC regional office for your area. When you are comfortable that you understand and comply with the requirements, file your NOI.

The requirement to file an NOI does not replace any local requirements. Developers/Contractors are directed to contact the Local Code Enforcement Officer or Stormwater Management Officer for local requirements.

ATTACHMENT 3

<< Date >>

Mr. John Smith
123 Main Street
Ferracane, NY 12345

Re: Stormwater Inspection
SPDES Permit Identification No. NYR10Z000 (through SPDES No. GP-02-01)
Blowing Leaves Subdivision
Gasper (T), Eaton (Co.)

Dear Mr. Smith:

On the afternoon of << date >> I conducted an inspection of the construction activities associated with the Blowing Leaves Subdivision located on County Route 1 in the town of Gasper, Eaton County. The inspection was conducted in the presence of you and Mr. Samuel Siltfence of Acme Excavating Co., Inc. The purpose of the inspection was to verify compliance with the *State Pollutant Discharge Elimination System (SPDES) General Permit for Storm Water Discharges from Construction Activity* ("the general permit").

The overall rating for the project at the time of the inspection was ***unsatisfactory***. A copy of my inspection report is attached for your information. In addition to the report, I would like to elaborate on the following:

SPDES Authority

- In accordance with subdivision 750-2.1 (a) of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (6 NYCRR), a copy of your permit must be retained at the construction site. You did not have a copy of the general permit at the site. **Your failure to retain a copy of the general permit at the construction site is a violation of 6 NYCRR Part 750-2.1 (a).** Please retain a copy of the general permit at the site from this point forward.

SWPPP Content

- In accordance with Part III.E.2. of the general permit, contractors and subcontractors must certify that they understand the terms and conditions of the general permit and the SWPPP before undertaking any construction activity at the site. Your SWPPP does not include a certification statement from Acme Excavating Co., Inc. **The failure of your contractor to sign this certification before undertaking construction activity at the site is a violation of Part III.E.2. of the general permit.** Please obtain copies of all necessary certifications and provide copies of them to each party who holds a copy of your SWPPP.

- In accordance with Part V.H.2. of the general permit, SWPPP's must be certified by the permittee. Your SWPPP was not certified by you. **Your failure to certify your SWPPP is a**

violation of Part V.H.2. of the general permit. Please certify your SWPPP.

Recordkeeping

- In accordance with Parts III.D.3.a. and III.D.3.b. of the general permit, permittees must have a qualified professional conduct site inspections within 24 hours of the end of 0.5" or greater rain events and at least once per week. A review of your records revealed that your "self-inspections" are only being conducted about two or three times per month. **Your failure to have a qualified professional conduct inspections at the required frequency is a violation of Part III.D.3.b. of the general permit.** Please immediately direct your qualified professional to conduct your site inspections at the required frequency.

- Although the frequency of self-inspections does not meet rquirements, the quality of them is very good. Your qualified professional has accurately noted the same SWPPP deficiencies and necessary maintenance activities that I also observed, and prepared thorough sketches on the self-inspection site maps.

- In accordance with Part V.H.2. of the general permit, the permittee must certify all reports required by the permit. A review of your records showed that your self-inspection reports were not certified. **Your failure to certify your self-inspection reports is a violation of Part V.H.2. of the general permit.** Please sign and certify any and all existing and future self-inspection reports.

Visual Observations

- In accordance with Parts III.A.2. and III.A.3. of the general permit, all erosion and sediment controls (E&SC) measures must be installed (as detailed in the SWPPP) prior to the initiation of construction. During the inspection, I noted all of your E&SC measures have been correctly installed at the right times and locations.

- In accordance with Part V.L. of the general permit, all of the E&SC measures at your site must be maintained properly. While on site I observed that, among other things, the section of silt fence in place parallel to County Route 1 is in various stages of disrepair. **The failure of your contractor to adequately maintain the E&SC measures currently in place at your site is a violation of Part V.L of the general permit.** Please direct your contractor to repair this silt fence immediately and to diligently maintain all of the other required E&SC measures as they are brought to his attention by your qualified professional.

- This inspection was conducted during a rain event which resulted in a stormwater discharge to the municipal separate storm sewer system (MS4) being operated by the Eaton County Department of Public Works. Your discharge was visibly turbid whereas upstream water MS4 was clear. As a result, the discharge from the MS4 outfall into Karimipour Creek was causing

Mr. John Smith
Re: SPDES Inspection
Blowing Leaves Subdivision
Gasper (T), Eaton (Co.)

<< Date >>

slight turbidity. Please be advised that the narrative water quality standard for turbidity in Karimipour Creek is "no increase that will cause a substantial visible contrast to natural conditions." I attribute the lack of maintenance of your E&SC measures to be the primary cause of the turbid discharge. Please be reminded that the general permit does not authorize you cause or contribute to a condition in contravention of any water quality standards.

If you have any questions or comments, please feel free to contact me at (999) 456-5432.

Sincerely,

Hector D. Inspector, CPESC
Environmental Program Specialist 2

HDI:ms
Attachment

cc w/att.: Chester Checkdam, (T) Gasper Code Enforcement Officer
Samuel Siltfence, Acme Excavating Co., Inc.

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

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit

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

I. Project Owner/Operator Information
1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:
II. Project Site Information
5. Project/Site Name:
6. Street Address:
7. City/State/Zip:
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:
IV. Regulated MS4 Information
11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A _____
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

(NYS DEC - MS4 SWPPP Acceptance Form - January 2010)

MS4 SWPPP Acceptance Form - continued

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

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

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

Appendix I

Supporting Documentation for Post-Construction Stormwater Management MCM

Village of Wappingers Falls, NY
Friday, November 27, 2015

Chapter 131. Stormwater Management

Article I. Erosion and Sediment Control

§ 131-1. Legislative findings.

It is hereby determined that:

A. Water is of paramount importance to the Village and its residents and this is evidenced by the very name of the Village of Wappingers Falls. The depth of Wappingers Lake has been greatly reduced by silt created by land development activities flowing into the lake.

B. Because of silt, and other materials, Wappingers Lake has been placed on the New York State Department of Environmental Conservation List of Impaired Waters pursuant to § 303(d) of the Federal Clean Water Act and is listed in Part 3a, Waterbody Segments Requiring Verification of Impairment.

C. 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.

D. This stormwater runoff contributes to increased quantities of waterborne pollutants, including siltation of aquatic habitat for fish and other desirable species.

E. Clearing, grading, excavating, soil disturbance or placement of fill during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat.

F. Improper design, maintenance and construction of stormwater management practices can increase the velocity of stormwater runoff, thereby increasing streambank erosion and sedimentation.

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

H. Substantial economic losses can result from these adverse impacts on the waters of the Village.

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

J. 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.

K.

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

L. The Village Board of Trustees finds that the Municipal Stormwater Management provisions adopted herein are consistent with the guidelines set forth in Greenway Connections. In its deliberations on any discretionary actions under this chapter, the Stormwater Management Officer and other approving agencies of the Village of Wappingers Falls shall consider the statement of policies, principles and guidelines in Greenway Connections as they deem appropriate and relevant in its deliberations on such discretionary actions.

§ 131-2. Legislative intent.

The purpose of this article is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing within this jurisdiction and to address the legislative findings in § **131-1** hereof. This article seeks to meet those purposes by achieving the following objectives:

A. Adopt minimum control measures 4 and 5 for a Stormwater Management Program as set forth in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems Permit No. GP-02-02, effective January 8, 2003 as amended, revised or superseded.

B. Further implement the Village of Wappingers Falls Stormwater Management Program as required under New York State MS4 SPDES No. _____.

C. Require land development activities to conform to the substantive requirements of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities GP-02-01, as amended or revised.

D. Comply with the applicable federal regulations for small municipal separate storm sewer systems (MS4s) promulgated by the United States Environmental Protection Agency pursuant to the Clean Water Act (33 U.S.C. § 1251 et seq.).

E. Minimize increases in the rate of 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.

F. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade the quality of the water in Wappingers Lake, Wappingers Creek and other local water bodies.

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

H. 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.

§ 131-3. Definitions.

Whenever used in this chapter, unless a different meaning is stated in a definition applicable to only a portion of this chapter, the following terms will have meanings set forth below:

303(d) LIST

A list of all surface waters in the state for which beneficial uses of the water (drinking, recreation, aquatic habitat, and industrial use) are impaired by pollutants, prepared periodically by the New York State DEC as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

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

Any individual or individuals, firm, partnership, association, corporation, company, organization or other legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof, filing an application for a land development activity subject to the provisions of this chapter.

BEST MANAGEMENT PRACTICES (BMPs)

Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater 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.

BUILDING

The term "building" as defined in § **151-3** of the Village Code now or as hereafter amended.

CHANNEL

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

CLEAN WATER ACT

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

CLEARING

Any activity that removes the vegetative surface cover.

CONSTRUCTION ACTIVITY

Activities requiring authorization under the SPDES Permit for Stormwater Discharges From Construction Activity, GP-02-01, as amended or revised. These activities include construction projects resulting from land disturbances of one or more acres. Such activities include but are not limited to clearing, grubbing, grading, excavating and demolition.

DEDICATION

The deliberate conveyance 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 or any superseding publication issued by the New York State Department of Environmental Conservation.

DESIGN PROFESSIONAL

A New York State licensed professional engineer or architect.

DEVELOPER

A person who undertakes land development activities.

EPA

United States Environmental Protection Agency.

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," or any superseding publication issued by the New York State Department of Environmental Conservation.

GRADING

Excavation or fill of material, including the resulting conditions thereof.

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.

ILLICIT DISCHARGE

Any direct or indirect nonstormwater discharge to the MS4, except as exempted in § **131-16B** of this chapter.

ILLICIT CONNECTIONS

Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the MS4, including but not limited to:

A. Any conveyances which allow any nonstormwater discharge, including but not limited to treated or untreated sewage, process wastewater, and wash water to enter the MS4 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

B. Any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps or equivalent records and approved by an authorized enforcement agency.

IMPERVIOUS COVER

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

INDUSTRIAL ACTIVITY

Activities requiring the SPDES Permit for Discharges From Industrial Activities Except Construction, GP-98-03, as amended or revised.

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.

LAND DEVELOPMENT ACTIVITY

Any construction or demolition activity including clearing, grubbing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre, or activities disturbing less than one 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.

MS4

Municipal separate storm sewer system.

MUNICIPAL SEPARATE STORM SEWER SYSTEM

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

A. Owned or operated by the Village of Wappingers Falls;

B. Designed or used for collecting or conveying stormwater;

C. Which is not a combined sewer; and

D. Which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

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.

NONSTORMWATER DISCHARGE

Any discharge to the MS4 that is not composed entirely of stormwater.

NPDES PERMIT (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT)

A permit issued by the EPA pursuant to § 402 of the Clean Water Act and the regulations promulgated thereunder.

NYSDEC

The New York State Department of Environmental Conservation.

PERSON

Any individual or individuals, firm, partnership, association, corporation, company, organization or other legal entity of any kind, including municipal corporations, governmental agencies or subdivisions thereof.

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

Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water, which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards.

PREMISES

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

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.

SILVICULTURAL

Of or relating to the management and care of forests.

SPDES PERMIT (STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE PERMIT)

A permit issued by the NYSDEC that authorizes the discharge of pollutants to waters of New York State.

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 or any successor permit under the Federal Clean Water Act and the Environmental Conservation Law.

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 or any successor permit under the Federal Clean Water Act and the Environmental Conservation Law.

SPECIAL CONDITIONS

A. Discharge compliance with water quality standards: the condition that applies where the Village has been notified by the NYSDEC or the EPA that the discharge of stormwater authorized under their MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition, the Village must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

B. 303(d) listed waters: the condition in the Village's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition, the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

C. Total maximum daily load (TMDL) strategy: the condition in the Village's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by the EPA for a water body or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the Village was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

D. The condition in the Village's MS4 permit that applies if a TMDL is approved in the future by the EPA for any water body or watershed into which an MS4 discharges: Under this condition, the Village must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the Village must, within six months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STABILIZATION

The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER

An order issued by the duly authorized municipal authority which requires that all land development activity and other 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 nonstructural 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 (SMO)

The Village of Wappingers Falls Director of Code Enforcement. As provided for in this chapter, the Director of Code Enforcement may delegate his or her powers and duties to Code Enforcement Officers of the Village and may retain professional consultants to assist in the administration and enforcement of this chapter.

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 waters), 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 a disposal area in wetlands) nor resulted from impoundment of waters of the state.

TOTAL MAXIMUM DAILY LOAD (TMDL)

The maximum amount of a pollutant to be allowed to be released into a water body so as not to impair uses of the water allocated among the sources of that pollutant.

VILLAGE

The Village of Wappingers Falls, New York.

WASTEWATER

Water that is not stormwater, is contaminated with pollutants, and is or will be discarded.

WATERCOURSE

A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

§ 131-4. Applicability.

A. All land development activities, as such are defined in § 131-3Y of this article, including but not limited to land development activities subject to review and approval by the Village Board of Trustees, Planning Board, the Zoning Board of Appeals of the Village or the Code Enforcement Officer under subdivision, site plan, special permit, floodplain development permit, excavation permit, zoning permit and/or other land use permit regulations, shall be reviewed subject to the standards contained in this chapter.

B. It shall be unlawful for any person to engage in a land development activity, other than an exempt activity as defined in § **131-5**, without a stormwater pollution prevention plan approved by the Stormwater Management Officer or other approving authority as specified in Subsection **C** below.

C. The Stormwater Management Officer shall accept, review and be the approving authority for all stormwater pollution prevention plans (SWPPP), except as follows:

(1)

The Village Board shall be the approving authority for any application involving property that is also the subject of a pending special permit or other land use application before the Village Board in accordance with the provisions of the Village Code.

(2) The Planning Board shall be the approving authority for any application involving property that is also the subject of a pending site plan, subdivision, special permit or other land use application before the Planning Board in accordance with the provisions of the Village Code.

(3) The Zoning Board of Appeals shall be the approving authority for any application involving property that is also the subject of a pending variance, special permit, and other land use application before the Zoning Board of Appeals in accordance with the provisions of the Village Code.

D. The Stormwater Management Officer, or the approving authority listed in Subsection **C** above, may engage the services of a licensed professional engineer to review the plans, specifications and other documents related to the SWPPP. The applicant shall be responsible for payment of the fees of the engineer engaged by the Stormwater Management Officer in accordance with the provisions of § **151-26B** of the Village Code.

§ 131-5. Exemptions.

The following activities shall be exempt from review under this chapter:

A. Agricultural activity as defined in this chapter.

B. Silvicultural activity, except that landing areas and log haul roads are subject to this chapter.

C. Repairs and routine property maintenance activities that disturb less than one acre and maintain the original line and grade.

D. Repairs and routine maintenance to any stormwater management practice or facility deemed necessary by the Stormwater Management Officer.

E. Any part of a subdivision if a plat for the subdivision has been approved by the Village of Wappingers Falls on or before the effective date of this chapter.

F. Land development activities for which a building permit has been approved and is still in effect on or before the effective date of this chapter.

G. Cemetery graves.

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

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

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

K. Landscaping and horticultural activities in connection with an existing noncommercial structure.

§ 131-6. Stormwater pollution prevention plans.

A. No application for approval of a land development activity shall be reviewed until the appropriate approving authority has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.

B. 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.

(2) Site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water (s); 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 discharges(s). The site map shall be at a scale no smaller than one inch equals 50 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 acres shall be disturbed at any one time unless pursuant to an approved SWPPP. The Village may opt to reduce the amount of land that may be exposed at any one time.

(5) Description of the pollution prevention measures that will be used to control construction materials, chemicals and 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 a 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 closeout.

(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 will remain in place until the site is stabilized.

(12) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice.

(13) Name(s) of the receiving water(s) and NYSDEC classification(s), if applicable.

(14) Delineation of SWPPP implementation responsibilities for each part of the site.

(15)

Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable.

(16) Any existing data that describes the stormwater runoff at the site.

(17) An acknowledgement by the landowner granting to the Village and other agencies having jurisdiction the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.

C. Land development activities that cause stormwater runoff of the type listed in this subsection shall provide, as applicable, postconstruction stormwater runoff controls:

(1) Stormwater runoff from land development activities discharging a pollutant of concern to an impaired water identified on the Department's 303(d) list of impaired waters;

(2) Stormwater runoff from land development activities discharging a pollutant of concern to total maximum daily load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment;

(3) Stormwater runoff from land development activities disturbing five or more acres; or

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

D. Postconstruction stormwater runoff controls. SWPPPs for land development activities listed in Subsection **C** shall provide following water quantity and/or water quality controls:

(1) All information required by Subsection **B**.

(2) Description of each postconstruction stormwater management practice;

(3) Site map/construction drawing(s) showing the specific location(s) and size(s) of each postconstruction 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 postdevelopment stormwater runoff conditions with predevelopment conditions;

(6) Dimensions, material specifications and installation details for each postconstruction stormwater management practice;

(7) Maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management practice;

(8) Maintenance easement(s), where required, 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; and

(9) Inspection and maintenance agreement recorded and binding on all subsequent landowners served by the on-site stormwater management measures in accordance with § **131-8F** of this chapter.

E. The SWPPP shall be prepared by a landscape architect, certified professional in erosion and sediment control, professional engineer, or other professional(s) deemed acceptable by the

NYSDEC and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meets the requirements in this chapter.

F. The applicant shall assure 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.

G. Certification.

(1) Each contractor and subcontractor identified in the SWPPP and/or any successor or substitute contractor or subcontractor 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." Copies of these statements shall be delivered to the duly authorized municipal authority.

(a) 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.

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

(2) Proof that each contractor who will be involved in a land development activity has obtained training and/or certification in proper erosion and sedimentation control practices shall become part of the SWPPP for the land development activity.

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

§ 131-7. Performance and design criteria.

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

A. For the purpose of this chapter, 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 chapter. Copies of the two manuals are on file in the office of the Stormwater Management Officer.

(1) The Design Manual as defined in § 131-3L.

(2) The Erosion Control Manual as defined in § 131-3O.

B. Where stormwater management practices are not in accordance with technical standards, the owner, applicant or developer must demonstrate equivalence to the technical standards set forth in this section, and the SWPPP shall be prepared by a certified professional in erosion and sediment control, professional engineer or other professional(s) deemed acceptable by the NYSDEC.

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

§ 131-8. Maintenance, inspection and repair of stormwater facilities.

A. The owner, 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 chapter. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by 50%, and placed in an acceptable location and properly stabilized.

B. The owner, applicant, developer or their representative shall be on site at all times when construction or grading activity takes place and shall maintain the effectiveness of all erosion and sediment control practices unless all construction, demolition or grading activity has ceased and the site has been stabilized to the satisfaction of the Stormwater Management Officer.

C. Inspection shall be conducted and inspection reports shall be completed by a certified professional in erosion and sediment control, professional engineer or other professional(s) deemed acceptable by the NYSDEC every seven days and within 24 hours of the conclusion of any storm event producing 0.5 inch of precipitation or more. The reports shall be maintained in a site logbook.

D. Prior to the issuance of any approval that has a stormwater management facility as one of the requirements, other than one serving an individual single-family residence, the applicant or developer must execute an easement that shall be binding on all subsequent landowners served by the stormwater management facility. The easement shall be in a form acceptable to the counsel to the Village and shall provide for access to the facility at reasonable times for periodic inspection by the Village, or its designee, to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this chapter. The easement shall be recorded by the grantor in the office of the County Clerk after approval by the counsel for the Village.

E. The owner or operator of permanent stormwater management facilities or practices installed in accordance with this chapter shall operate and maintain the stormwater management practices to achieve the goals of this chapter. Proper operation and maintenance also includes, as a minimum, the following:

   (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 chapter.

   (2) Written procedures for operation and maintenance and training new maintenance personnel.

   (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § **131-7C**.

F. Prior to the issuance of any final plan approval, the applicant or developer must execute a formal maintenance agreement for stormwater management facilities, other than those serving an individual single-family residence, binding on all subsequent landowners. The maintenance agreement shall be in a form acceptable to Village Counsel and shall be recorded in the office of the County Clerk as a deed restriction on the property. The Village of Wappingers Falls, 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 chapter and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

§ 131-9. Construction inspection, administration and maintenance.

A. In addition to the inspections required by § **131-8C**, the Stormwater Management Officer may require such other 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 Village enforcement officials at least 48 hours before any of the following as required by the Stormwater Management Officer:

(1) Start of construction;

(2) Installation of sediment and erosion control measures;

(3) Completion of site clearing;

(4) Completion of rough grading;

(5) Completion of final grading;

(6) Close of the construction season;

(7) Completion of final landscaping; or

(8) Successful establishment of landscaping in public areas.

B. 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.

C. All applicants are required to submit as-built plans for any stormwater management facilities and practices located on site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be certified by a New York State licensed land surveyor and a professional engineer.

D. Inspection programs may 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; inspections 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.

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

F. 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 and other agencies having jurisdiction the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection.

G. Entities subject to this chapter shall maintain records demonstrating compliance with this chapter.

§ 131-10. Performance guarantee; maintenance guarantee; responsibility of landowner.

A. 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 in its approval of the stormwater pollution prevention plan, the Village 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 as the beneficiary. The security shall be in an amount to be determined by the Village based on submission of final design plans, 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, 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. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. 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 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 based upon the advice of the Village Engineer. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. It shall be the primary responsibility of the landowner and the successor landowners to perform all necessary inspections, maintenance, reporting, adjustments, repair, replacement and reconstruction of the stormwater management facilities. If, at any time, the Stormwater Management Officer determines that necessary inspections, reports, maintenance, repairs, adjustments, replacement or reconstruction have not been properly performed, the Village may undertake to perform any such work or work that it finds, in its sole judgment, is necessary to preserve the stormwater management functions of stormwater management practices (SMPs), at the cost and expense of the landowner and the successor landowners. Copies of all bills, statements and invoices substantiating such costs, including costs of consultants, shall be included with written notice of same. Each lot shall individually and separately bear its equal share of such costs and in the event that its share is not paid within 30 days of issuance of statements for this work, the amount of such share shall constitute a lien against such lot which shall be levied and collected in the same manner as Village real estate taxes or in such manner otherwise provided by law. The landowner and the successor lot landowner shall be personally liable for payments of their respective shares of all such costs, including costs of collection and reasonable attorney's fees.

§ 131-11. Enforcement.

A. When the Village determines that a land development activity is not being carried out in accordance with the requirements of this chapter, the SMO or a Code Enforcement Officer may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

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

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

(4) A description of the remedial measures necessary to bring the land development activity into compliance with this chapter 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; and

(6) A statement that the determination of violation may be appealed to the Village by filing a written notice of appeal within 15 days of service of notice of violation.

B. The SMO, a Code Enforcement Officer or the Town Engineer may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development activities and other construction activities on the site, except those activities, approved by the Village, that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Village 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 chapter.

(1) A stop-work order may be issued by the Village Engineer or a Code Enforcement Officer.

(2) A stop-work order may be appealed by filing a written notice of appeal with the Village Board of Trustees not later than 30 days after service of the stop-work order upon the applicant. A hearing shall be scheduled by the Village Board of Trustees within 20 days of receipt of request for a hearing. After the close of the hearing, the Village Board of Trustees may confirm, modify or cancel the stop-work order.

(3) The approving authority shall set forth, in writing, in the permit application file it keeps its findings and reasons for revoking or suspending a permit pursuant to this section.

C. Any land development activity that is commenced or is conducted contrary to this chapter may be restrained by injunction from a court of competent jurisdiction or otherwise abated in any manner provided by this chapter.

D. In addition to any penalty provided herein or by law, any person in violation of this chapter may be required to restore land to its undisturbed condition and/or mitigate on-site and off-site damage from stormwater runoff, sediment or pollutants resulting from the violator's activities. In the event that restoration is not undertaken within a reasonable time after notice, the Village may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

E. If any building or land development activity is installed or conducted in violation of this chapter, no certificate of occupancy or certificate of compliance shall be issued for said building(s).

§ 131-12. Penalties for offenses.

A. A violation of any provision of this article is considered an offense and for a first offense a person is subject to a civil penalty of a minimum of $500 to a maximum of $1,000.

B.

A conviction of a second offense of the provisions of this article, both of which were committed within a period of five years, is considered a violation subject to a fine of $250 to $500 and/or a civil penalty of $750 to $1,500.

C. A conviction of a third offense of the provisions of this article, all of which were committed within a period of five years, is considered a violation with a penalty of a period of imprisonment of not to exceed 15 days, a fine, a civil penalty or any combination of the three.

(1) A fine under this subsection shall be a minimum of $500 to a maximum of $2,000.

(2) A civil penalty under this subsection shall be a minimum of $1,500 to $5,000;

D. Each week's continued violation shall constitute a separate additional offense.

[1] *Editor's Note: L.L. No. 8-2008, adopted 12-8-2008, created a uniform section for the application of penalties occurring when any ordinance, resolution or act of the Village is violated. See Ch. **1**, General Provisions, Art. **II**, General Penalty.*

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* ALSO ADMITTED IN FLA.
** ALSO ADMITTED IN CONN.
*** ALSO ADMITTED IN NJ
****ALSO ADMITTED IN FL & MA

September 27, 2010

Hon. John Karge
Village Clerk
Village of Wappingers Falls
2628 South Avenue
Wappingers Falls, New York 12590

Re: Local Law Regulating Stormwater Management and Illicit Discharges to Comply with MS-4
Certification by Village Attorney

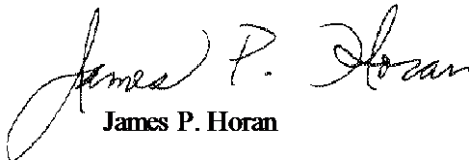
Dear Clerk Karge:

I am the Deputy Village Attorney and I drafted the Local Law the regulates Stormwater Management and Illicit Discharges to the Stormwater System that was adopted by the Board of Trustees of the Village of Wappingers Falls on November 14, 2007. The Local Law is codified at Chapter 131 of the Village of Wappingers Falls Code.

I hereby certify that the provisions of Chapter 131 of the Village of Wappingers Falls Code meet or exceed the minimum requirements set forth in the Sample Local Law for Stormwater Management and Erosion & Sediment Control promulgated by the New York State Department of Environmental Conservation.

If you have any further questions please contact me.

VERGILIS, STENGER, ROBERTS, DAVIS & DIAMOND, LLP



James P. Horan

JPH/so

cc: Mayor Alexander (via email)
Louis J. Viglotti, Esq. (via email)

Schedule B

SAMPLE STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

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

Whereas, the Municipality and the facility owner desire 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 Municipality and the facility owner agree as follows:

1. This agreement binds the Municipality and the 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 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, not less than once in every five year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality 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 Municipality.

6. The facility owner shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

7. The facility owner shall provide to the Municipality 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 in the Office of the County Clerk, County of _____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 Municipality 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 Municipality or by the inspecting engineer, the Municipality 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 _____ .

Stormwater Management Practice Locations in the Village of Wappingers Falls

1. Village Maintained
    a. Southern Dutchess News

2. Privately Maintained
    a. River Bind at Wappingers Falls
    b. Patriots Park
    c. Monastery of St. Clare
    d. Creek Side

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 J

Supporting Documentation for Pollution Prevention/ Good Housekeeping for Municipal Operations MCM

Pollution Prevention and Good Housekeeping for Municipal Operations

Prepared by:
Dutchess County Soil and Water Conservation District

Pollution Prevention and Good Housekeeping for Municipal Operations

February 2007

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Dutchess County Soil and Water Conservation District
http://dutchess.ny.nacdnet.org

NYS Department of Environmental Conservation
http://www.dec.state.ny.us

POLLUTION PREVENTION AND GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

TOP 15 TAKE HOME MESSAGES

1. Educate, educate, educate and then reinforce that education regularly.
2. If there is a spill, clean it up as quickly and as completely as possible. Create and follow a spill response procedure – make sure it is used every time there is an incident.
3. A clean, organized, and maintained facility is an environmentally friendly facility.
4. Inspect all aspects of all facilities often, document what you see (see the included worksheet for assistance), and implement improvements. Every facility has room for environmental improvement.
5. When it comes to fertilizers, pesticides, herbicides, and winter sand and salt, use only what you need, when you need it. Reduce the use.
6. Keep paved roadways and areas clean and sweep them as often as possible. Cleaner roads = cleaner catch basins = cleaner and healthier waterbodies and wetlands.
7. Note soil erosion when you see it and correct it as soon as possible, especially in roadside ditches and outfall discharge points. Small problems can turn into large ones rapidly.
8. Inspect outfall locations for soil erosion as well as illicit discharges. If something looks or smells off – report it, investigate it, remove it and document it.
9. Learn your facilities, wetlands, waterbodies, watercourses (permanent and intermittent, impaired and protected), and MS4 system.
10. Maintain organized records. Required reports are prepared in a fraction of the time if you spent minutes a day keeping your records up to date.
11. Communication is imperative between field and office staff. Highway and Recreation Department staff should maintain effective communication with the Stormwater Management Officer.
12. Wash vehicles and equipment using "green" products in green areas. Prevent untreated wash water from entering your MS4 or discharging to a waterbody.
13. Implement an adequate maintenance schedule on vehicles and equipment to reduce the risk of leaks or spills.
14. Maintain buffers around all watercourse and waterbodies. Let Mother Nature maintain water quality for you.
15. Reduce, Renew, Reuse, Recycle, Rebuy.

BACKGROUND: THE PHASE II STORMWATER PROGRAM

The Phase II Stormwater Program is mandated by the United States Environmental Protection Agency. In New York, responsibility for implementation and enforcement of the program has been delegated to the New York State Department of Environmental Conservation (NYSDEC). The Pollution Prevention/Good Housekeeping program described in this manual pertains to SPDES General Permit GP-02-02 for Small Municipal Separate Storm Sewer Systems (MS4s).

An MS4 is defined as *a conveyance or system of conveyances owned by a State, City, Town, Village, or other public entity that discharges to the Waters of the United States and is designed or used to collect or convey stormwater* (includes gutters, pipes, and ditches). An MS4 is not a combined sewer, and is also not part of a Publicly Owned Treatment Works (i.e., sewage treatment plant).

The word "stormwater" by definition means surface runoff water that is the result of rainfall and/or snowmelt exclusively.

There are two ways in which a Municipal Separate Storm Sewer System can be designated as a *regulated* Small MS4.

- The municipality is part of, or drains directly to, an urbanized area of population 50,000 to 100,000. The U.S. Census Bureau defines an *urbanized area* as an area in which population density exceeds 1,000 people per square mile. These are referred to as *automatically designated MS4s*.
- The municipality's separate storm sewer system drains to a water body that is designated as *impaired* on the New York State 303(d) list, or is in the watershed of a body of water for which a *Total Maximum Daily Load* (TMDL) for pollutant loading has been developed. These are referred to as *additionally designated MS4s*.

In the County of Dutchess, the following municipalities are automatically designated MS4s:

- City of Beacon
- City of Poughkeepsie
- Town of Beekman
- Town of East Fishkill
- Town of Fishkill
- Town of Hyde Park
- Town of LaGrange
- Town of Pleasant Valley
- Town of Poughkeepsie
- Town of Wappinger
- Village of Fishkill
- Village of Wappingers Falls
- County of Dutchess

In the County of Dutchess, the following municipalities are additionally designated MS4s, due to their presence in New York City's East of Hudson watershed, for which a TMDL has been developed:

- Town of Pawling
- Village of Pawling

Communities in New York State that are regulated under the Phase II Stormwater SPDES Permit GP-02-02 for Small MS4s are required to have in place a program for pollution

prevention. This requirement fulfills Minimum Measure 6 (Pollution Prevention and Good Housekeeping) of the MS4 permit and is related to portions of other permit requirements including Minimum Measure 3 (Illicit Discharge Detection and Elimination), 4 (Construction Site Runoff Control), and 5 (Post-Construction Stormwater Management). The program pertains to all municipal departments, but is of particular concern to highway departments, parks and recreation departments, and all employees who perform outdoor job tasks.

The New York State Department of Environmental Conservation has outlined the necessary components of a Pollution Prevention and Good Housekeeping program as the development and implementation of an operation and maintenance program to reduce pollutant runoff from municipal operations including:

- Stormwater system maintenance and retrofits
- Fleet and building maintenance
- Road construction and maintenance

Program must consider:

- Maintenance activities and schedules
- Controls to reduce/eliminate pollutants from parking lots, storage areas and waste transfer facilities
- Procedures for proper disposal of waste materials removed from storm drains
- Inspection procedures for controls to reduce floatables and other pollutants
- Training for employees

The above requirements listed above should be documented in the Notice of Intent (NOI) and subsequent annual reports submitted to New York State Department of Environmental Conservation. The program requirements must be fully implemented no later than January 2008.

List of pollutants

Many products commonly used or generated in the home, by businesses and industries, or by municipal employees are a source of pollution when they are intercepted by stormwater. The following are some examples:

- **Soil or fill material:** Soil that has eroded from a construction site, roadway, or stockpile can be carried to water bodies as sediment by stormwater.
- **Concrete, cement, and asphalt:** These substances act the same way as sediment when they enter a waterway, and in some cases can contain harmful byproducts.
- **Oil, fuel, antifreeze, and other automotive fluids:** When these substances leak onto a paved surface, they are easily transported by stormwater into watercourses.
- **Road salt:** Salt applied during the winter months is readily soluble and can alter the chemical characteristics of streams and lakes as residue is carried away by snow meltwater.
- **Trash and garbage:** Often referred to as "floatables," trash clogs drainage systems, harms wildlife, and is unpleasant to behold in public settings.

- **Paint:** Paint can be a pollutant if used outdoors and not allowed to dry prior to a major rainfall, or if spilt and not properly cleaned up. Paint often contains metals and other chemicals that can be harmful if they enter waterways.
- **Pesticides:** Insecticides and herbicides, some of which contain toxic substances, pose a potential problem if not applied correctly.
- **Fertilizers:** Fertilizer, if applied in excess, can leach nutrients to stormwater, which may harm aquatic ecosystems by causing algal blooms and heavy aquatic plant growth.
- **Hazardous waste:** Battery acids, solvents, detergents, and other materials, if not properly disposed of, can pose varying degrees of environmental threat when mixed with stormwater.
- **Vegetative waste material:** Grass clippings, tree limbs, and leaf litter contain nutrients that can lead to algal blooms in a water body. Decomposition of these materials can cause a decline in water oxygen levels.
- **Scrap metal:** Because it rusts when exposed to the elements and contains varying contents of potentially harmful different types of metal that can be carried into the stormwater drainage system by rain, scrap metal is considered a source of pollution.
- **Pet waste:** Pet wastes are among the many common stormwater pollutants that can degrade water quality. When water (i.e., rain, hose water, sprinklers, etc.) contacts pet wastes the resulting stormwater runoff has been found to contain high concentrations of pathogens such as bacteria, parasites, and viruses. These bacteria can make people and other animals sick, and result in the spread of disease.

RECEIVING WATER BODIES

An awareness of the location and degree of threat to the various watercourses in a community is of value to the highway department in fulfilling the requirements of the Phase II Stormwater program. Although it is illegal to pollute any body of water in New York State to the extent that a violation of water quality standards occurs, you should know what lakes, streams, and wetlands in your municipality are under special protection through programs and regulations.

The following is an inventory you should create:

- Waters and watersheds for which a Total Maximum Daily Load (TMDL) has been developed by NYSDEC
- Waters that are on the 303(d) list as impaired
- Waters that are on the Priority Water Bodies considered stressed or threatened
- Federally designated wetlands and bodies of water (i.e., listed on the National Wetlands Inventory)

- State-designated wetlands
- City/Town-designated wetlands (if specified in municipal code)
- All permanent streams, intermittent streams, ponds, lakes, canals, and reservoirs to which roadways and other facilities under your jurisdiction drain
- All conveyances and structures within a Municipal Separate Storm Sewer System (MS4), whether enclosed pipes, open ditch, or other
- Take particular note of the wetlands and bodies of water to which municipal highway garages, transfer stations, and municipal parks discharge

RESPONSIBLE PARTIES

Stormwater Management Officer

The Stormwater Management Officer (SMO) is an individual identified as the enforcement authority empowered to implement all local laws related to the Phase II Stormwater Program. This individual should be either a municipal official or employed as a member of a municipal department. The duties of the SMO cannot be delegated to a consultant or independent business.

Your municipality also has a Local Stormwater Public Contact,

responsible for handling all inquiries from the public regarding the stormwater program. In some municipalities, this individual is the SMO but may be another individual. Many larger communities also have designated a separate person as the Stormwater Program Coordinator, who can work with both the Public Contact and the SMO to address complaints and manage the program.

The SMO is typically a building inspector, code enforcement officer, or environmental planner employed by the municipality, but in some cases it may even be the highway superintendent. The SMO's responsibilities may be shared among several individuals. Highway and recreation departments interact with the SMO in reporting potential violations or threats to water quality (including spills and illicit discharges), developing an inventory of your facilities and a plan for pollution prevention, as well as obtaining required SPDES Phase II General Construction Permit for any activity exceeding an acre in land disturbance.

Highway/recreation department contact

Within a highway or recreation department, a point of contact should also be established for direct reporting and interaction with the SMO. This person would also be responsible for overseeing the pollution prevention program and ensuring that employees are properly trained in good housekeeping procedures as well as detection of illicit discharges. Usually, these responsibilities will fall to the highway or parks department superintendent but may also lie with the highway foreman.

INVENTORY YOUR FACILITIES

A critical step in the development of a stormwater pollution prevention program is to inventory all facilities and ensuring that a full understanding exists of all activities that take place at these facilities. In small villages, this may be simply one small highway garage, while in larger towns, cities and counties, materials, equipment, and waste transfer stations may be maintained in several separate locations.

Within the facilities themselves, an inventory should be generated of all vehicles, equipment, materials, and substances that are utilized in the department's operations. Further attention should be paid to the buildings, outdoor storage areas, fueling stations, and drainage systems. See Appendix B for a facility inventory worksheet to assist with this task.

VEHICLE AND EQUIPMENT MAINTENANCE

Vehicle washing operations

Vehicle washing, when not done inside or in a containment area, is an immediate pollution threat and can constitute a possible illicit discharge. This is true for two reasons. The "dirt" caked on vehicles, in addition to sediment, can contain a number of harmful pollutants; grass or vegetation clippings can be equally harmful. Additionally, detergents and soaps used in cleansing the vehicles pose a hazard to the environment and to water quality.

Therefore, it is best to wash vehicles inside and be sure that wash water drains to a sanitary sewer rather than a storm sewer. If this is not possible, an impervious concrete wash pad that does not drain to a storm sewer is the next best alternative. Treatment of wash water may be accomplished using an oil-grit separator or grassed filter area. Wastewater can be treated by a number of other devices, but you should check with the manufacturer to determine that the appropriate pollutants are being removed. Erecting a roof over an outdoor wash area keeps rainwater for interacting with the pollutants that may collect on the wash surface.

Regardless of where or how you wash your equipment fleet, it is advantageous to water quality to use biodegradable materials that are the least toxic products available. Avoid the use of chlorinated solvents. Use detergents or water-based cleaning agents instead.

Spills and leaks

Spillage of a number of types of vehicular fluids, including engine oil, gasoline, diesel fuel, hydraulic fluid, coolant or antifreeze, and various automotive fluids represents a threat to water quality. These substances are readily washed into stormwater drainage systems and then into water bodies or waterways by rainfall.

All machinery and vehicles should be inspected regularly for leakage of oil, gasoline, or other fluids. All leaks should be reported to a supervisor for repair. A logbook should be maintained documenting these inspections, with the date and the person who performed the examination noted. Tanks, pumps, fittings, pipes, and containers should also be inspected routinely for leaks. Here are some general guidelines concerning maintenance and repair of vehicles and equipment:

- If a leaking vehicle enters your facility yard, move it indoors as quickly as possible. Place a drip pan underneath it to contain any fluid prior to and once moved indoors.
- Conduct vehicle repairs and maintenance work, including changing of fluids, indoors. Only emergency repairs should be completed outdoors.
- Where work must be done outdoors, grade, pave, or berm outdoor areas to collect discharge into a sanitary drain.
- Never dump anything down a storm drain or catch basin, or direct a drainage line to a storm drain.

Please see the section on "spill response procedure," for information on dry cleanup of liquid spills.

Reportable measurable goals for vehicle and fleet maintenance

The following list of sample measurable goals regarding vehicle and fleet maintenance is based, in part, on guidance from NYSDEC. Additional detailed information is available in NYSDEC's Self-Assessment Guidance Manual for Pollution Prevention and Good Housekeeping.

- Number of cleanouts of oil and grit separators or similar maintenance operations for site drainage structures.
- Results (quantity) of recycling program for oil, antifreeze, batteries and other chemicals.
- Number or percent of facilities at which proper treatment from disposal of vehicle washwater has been implemented.
- Documentation of repair of vehicle and equipment problems resulting in fluid spills.
- Development and implementation of policies/procedures, and training of staff, with regard to:
  - Vehicle washing wastewater disposal/treatment
  - Site drainage system maintenance and cleanout
  - Recycling
  - Hazardous materials storage
  - Spill prevention/response for vehicle maintenance (e.g., leaks) and repair

WASTE MANAGEMENT AND SPILL PREVENTION IN ALL MUNICIPAL OPERATIONS

Good Housekeeping

Taking reasonable precautions in work with and storage of materials, and in general, keeping a neat and tidy work area (especially outdoors), will go a long way toward prevention of any impacts to stormwater.

- Place a drop cloth or tarp beneath any outdoor work that could produce overspray or debris. This includes painting, finishing, primer application, sanding and filing, sawcutting, drilling, and similar work.
- Sweep up scraps and debris, and properly dispose of wastes, when work is finished – recycle if possible.
- Clean outside parking and storage areas regularly and put the collected material into the garbage – do not sweep it into the street or off the property.
- Collect bulk grease and oil in containers and contact a firm to recycle it.
- Close the lids of dumpsters and garbage containers after every use. It is recommended that the dumpster compartment(s) be kept locked to prevent illegal dumping.
- Do not use dumpsters for liquid wastes, as they are rarely leak-proof.
- Do not place leaky garbage bags into a dumpster without securing them inside an additional unbroken bag.
- Clean floor mats and garbage cans and dispose of wash water, in a janitorial sink rather than in the parking lot or street.
- Use the least toxic cleaning products available, and use them as sparingly as possible. All detergents, even if considered nontoxic or biodegradable, must be filtered and then discharged to a sanitary sewer (not a storm sewer). Filtered solids can be thrown in the garbage unless they are hazardous materials.

Chemicals used in any type of work should be kept securely covered when not being applied, and should be put away indoors when they are not in use. Indoor storage should be kept orderly to avoid indoor spills that can be tracked outside by foot traffic and equipment. Waste oil drums and containers for spent antifreeze and other fluids should be kept closed except when filling. As a precautionary measure, when large quantities of petroleum products or other chemicals (e.g., in drums) are being transported or handled, storm drains should be covered and/or blocked to help contain a spill if one should occur. Transfers of fluids to and from storage and waste tanks should be observed by an individual trained in spill response procedures. Funnels should be used when transferring fluids.

Waste Management and Materials Storage

Chemicals stored outside in large quantities should be kept in a concrete containment area. The containment area not only prevents spilled liquids from entering the stormwater drainage system, but also protects the area from runoff of stormwater from upslope. Containment areas that accumulate rainwater should be drained only if it is certain that no contamination has entered the storage pool. Typically there is a valve that opens a small drainage outlet. Fit all storage tanks with overfill prevention and spill containment implements.

Piles of topsoil, subsoil, gravel, and other materials should be protected to prevent sediment from being carried away by rain or wind. This can be accomplished by placing it on an impervious surface with silt fence downslope of the storage area. Providing cover for the piles would greatly reduce the amount of sediment loss. For long-term storage of topsoil and subsoil, stabilization using seeding and mulching is recommended. Details on acceptable silt fence installation and seeding/mulching methods can be found in the New York Standards and Specifications for Erosion and Sediment Control.

Illegal dumping is a problem in many communities. Unfortunately, for unknown reasons, people who dispose of waste material illegally tend to do so in or near streams or other bodies of water. Municipalities may choose to address this problem either by restricting access to popular dumping sites or making other physical modifications to discourage dumping. Alternatively, heightened enforcement of "No Dumping" ordinances may also serve to attack the problem.

Many municipalities operate transfer stations at which materials such as glass, metal, paper, plastic, and organic materials such as yard waste can be deposited for recycling or reuse. These facilities should record the results of the recycling program on an annual basis in tons or cubic yards of various materials collected. Scrap metal should be cleaned of hazardous materials before it is stored outside. Fuel, oil, and all other fluids should be removed from salvage vehicles prior to storage. It is important that storage of these materials is in covered containers or buildings to avoid both exposure to rainfall and transport offsite by stormwater runoff.

Reportable measurable goals for waste management and materials storage

- Frequency of hazardous material collection events sponsored by the municipality
- Identification and modification of illegal dump sites to discourage illegal dumping
- Municipal recycling program results (tons or cubic yards per year) for glass, metal, paper, plastic, and organic materials
- Development and implementation of policies/procedures, and training of staff, with regard to:
  - Prevention of illicit dumping and littering
  - Waste reduction and recycling
  - Animal waste control
  - Household hazardous waste collection

ILLEGAL CONNECTIONS TO THE STORMWATER DRAINAGE SYSTEM

Sanitary sewage (including septic system waste and laundry wash water), vehicle and equipment garage drain effluent, waste motor oil and other automotive fluids, and industrial waste are all considered illicit discharges if they enter the stormwater drainage system, and constitute a violation of the law. Several other categories of discharges must also be targeted for elimination if they are determined by the New York State Department of Environmental Conservation to be substantial contributors of water pollution to the stormwater drainage system. These include foundation drains, roof gutter leaders, water line flushing,

uncontaminated groundwater infiltration, water from crawlspace and basement sump pumps, and footing drains, among others. Municipalities should considering requiring that those with sump pumps discharging to the MS4 install secondary containment for all heating oil tanks located in the basement area. Adequate containment could prevent petroleum products from discharging into the MS4 and then to nearby waterbodies.

Facilities managers should review all types of drainage systems located on their properties and ascertain that there are no existing connections of non-stormwater conveyances to the stormwater drainage system. If such connections are present, a procedure must be developed for their elimination. If a sanitary sewage is found to be discharging to the MS4 either by direct or in-direct connection (e.g., leaching of material from a failing individual sewage system), the County Department of Health should be notified immediately for further investigation.

PARK AND OPEN SPACE MAINTENANCE

Park and recreation area maintenance encompasses a range of activities that can pose a threat to water quality if not done with due care. The following are some ways to minimize the risk:

- Follow the manufacturer's instructions when applying pesticides or fertilizers. Usually these products should not be applied during, or right before or after, rain.
- Ensure that all sprayers and/or spreaders are calibrated to distribute evenly and at the manufacture's recommended application rate.
- Establish chemical-free buffer zones around water bodies. In these areas, pesticides and fertilizer should not to be applied. We recommend a buffer zone of 25 feet be maintained around all streams, lakes, and other water bodies.
- Sweep granular chemicals and/or grass clippings back onto vegetated areas if they fall onto a paved surface. If not done so, they will be washed into storm sewers and

Test your soil to determine how much fertilizer, and in what nutrient ratio, you really need. There is no benefit to overapplication of fertilizer, and in addition to being potentially harmful to the grass, excess nutrients are readily transported by rainwater into the nearest water body or leached into groundwater.

then into watercourses with the first significant rainfall. Granular chemicals, like any other substance, can constitute a pollution threat, and grass clippings are typically high in nutrient content due to fertilization.

- Mulch mowing (allowing grass clippings to lie on the lawn) can reduce the need for pesticides, fertilizers, and irrigation. It recycles nutrients immediately back into soil and holds water in the soil through absorption and by blocking the effects of evaporation.
- Direct blown grass away from the water rather than towards it when mowing lawn areas adjacent to water bodies.

- Never dump grass clippings or other yard waste into a drainage ditch or waterway. They are often laden with nutrients from uptake of fertilizer that lead to algal blooms and subsequent fish kills.
- Sweep up litter and debris from parking lots; do not hose them into storm drains. Trash and yard waste clog storm drains, interfering with their function, and accumulate in streams causing blockages and erosion.
- Plant rain gardens of native drought-resistant and pest-resistant plants, with curb cuts to allow parking lot stormwater to be filtered and treated by them.
- Use pervious pavement or gravel parking lots where possible, particularly in lightly used overflow parking, to reduce stormwater runoff.

Reportable measurable goals for park and open space maintenance

- Percent of staff applying pesticides who are NYS Certified Applicators
- Reduction in pesticide usage and/or adoption of alternative pest control approaches (less toxic or persistent products, integrated pest management)
- Reduction in fertilizer usage
- Program established for hull washdown debris control at marina(s)
- Program established for sanding and painting debris and dust control at marina(s)
- Waste tank pump out system at marina available and maintained
- Procedure in place for proper drainage and discharge of swimming pool water
- Dates of most recent inspection and pump out for septic systems
- Documentation of any problems in septic system operation
- Ordinance in place for proper collection and disposal of pet wastes (from parks, public sidewalks, and streets)
- Management of ponds and bodies of water and their surrounding vegetation to discourage nuisance waterfowl
- Development and implementation of policies/procedures, and training of staff, with regard to:
  - Integrated pest management and use of pesticide alternatives
  - Fertilizer use, alternatives, and reductions

Alongside ponds, lakes, and larger streams, nuisance waterfowl such as Canada geese are a significant threat to water quality. Their waste contains high levels of nitrogen and phosphorus compounds and when large numbers of waterfowl congregate in an area, it can lead to rapid algal blooms. Rather than mowing to the edge of the water, it is recommended that a buffer of taller grass and shrubs be maintained. This discourages waterfowl because it allows predators to hide.

- Pesticide and fertilizer usage records
- Hazardous materials storage
- Erosion control practices
- Boat cleaning and painting operations
- Pump outs and haul-out pit maintenance
- Alternative discharge options for chlorinated water
- Inspection, maintenance, and pump out of septic systems and associated record keeping
- Pet waste control, education, and enforcement

MUNICIPAL BUILDING MAINTENANCE

Municipal buildings can include highway garages, repair garages, parks department storage buildings, town halls, police stations, fire stations, and libraries, as well as any number of other municipal facilities. Some of these facilities, because of the storage and use of vehicles, equipment, and potentially polluting materials, require extra attention to protect water quality. Others, such as office buildings, simply require management of runoff and care in the occasional use of chemical substances to prevent pollution. Handling of stormwater drainage from parking lots, rooftops, and outdoor storage and staging areas should revolve around the principal of "*keeping clean water clean*":

- Roof downspouts should be directed to stormwater management areas or immediately offsite rather discharging water to areas where it can pick up additional pollutants.
- Wherever possible, surface runoff should be directed away from vehicle or materials storage areas that may contain a higher risk of exposure of stormwater to pollutants. Drainage in these areas should be contained in as small an area as possible and treated before being discharged offsite.
- Where soil conditions allow, infiltration of stormwater should be incorporated as a treatment practice.

Buildings that do not utilize public sewage treatment systems will require onsite septic system inspection and maintenance. This means that regular inspection (at least once every two years) and pump out (generally once every 3 to 4 years) should be completed and documented. Any failures or maintenance problems should likewise be addressed and the actions taken should be recorded.

Many public office buildings employ maintenance staff or contract with a cleaning company to perform routine janitorial tasks. It is important that these personnel are made fully aware of the policies and procedures outlined in this section.

Products used in cleaning and maintenance of facilities should, where possible, be biodegradable and pose a minimum threat to the environment. As further discussed in the section on Waste Management, recycling procedures should be employed wherever possible.

Concerning the maintenance of building grounds, many of the procedures described in the section on Parks and Open Space Maintenance are likely to also be relevant here.

For details on storage and containment, spill prevention, and spill response procedures for petroleum products and hazardous materials, see the sections on "*waste management and materials storage*" and "*spill response procedure*."

STORMWATER DRAINAGE, CONVEYANCE, AND TREATMENT SYSTEM MAINTENANCE

Ditch cleanout and maintenance

Many highway departments maintain roadside ditches as open and unobstructed waterways. Stabilize ditches with vegetation immediately following cleanout to avoid causing erosion and sediment deposition as a result of necessary maintenance. This can be most easily accomplished through use of a hydroseeder. Vegetation should be allowed to establish and should only be removed when sediment accumulation in the ditch becomes excessive and compromise its function. On ditches where the design velocity exceeds **5.0 ft/sec**, vegetation is insufficient to provide soil stabilization and sediment trapping capacity, and the use of rock riprap or other reinforcement practices becomes necessary. Ditch stabilization practices should be designed and implemented using guidance from the New York Standards and Specifications for Erosion and Sediment Control.

Catch basin and inline structure cleanout procedures

All catch basins should be examined regularly (twice per year is recommended) to determine if cleanout is necessary. More frequent monitoring and maintenance may be necessary in areas where soil disturbance or construction is occurring nearby.

A rule of thumb is that catch basin sumps should be cleaned out when they are one half to three quarters full. Sumps are rarely able to completely fill up with sediment because the top layer of sediment is continually washed out due to the velocity of water to and from adjacent pipes. This means that partially full sumps may not be functioning in capturing sediment.

A bucket or vacuum truck may generally be utilized to scoop accumulated material out of catch basins. These spoils should be disposed of in such a way to minimize contact with stormwater and bodies of water. This may mean sending spoils to a sanitary landfill, composting them, or

using them as fill material in an area where they will be securely buried and unlikely to come into any contact with either groundwater or surface water. Prior to reuse of the material, consider testing it to determine if it is a polluted (e.g., hazardous waste) material.

Stormwater outfalls themselves must be kept clear of blockages and debris so that they are able to properly transport water. Sediment trapped within conveyance pipes should be periodically removed by a pressure washing procedure.

Other constructed stormwater management structures, such as Vortechnics™ or Stormceptor™ units, may require a different maintenance procedure. Check with the manufacturer to find out the required frequency of maintenance. The above names are offered as illustrative examples. Dutchess County Soil and Water Conservation District does not endorse any particular manufacturer or product of inline stormwater structures.

Reportable Measurable Goals for Stormwater Drainage, Conveyance, and Treatment System Maintenance

- Quantity (tons or cubic yards per year) of material cleaned from structures in the stormwater drainage, conveyance, and treatment system (also expressed as percentage of sand applied during winter road maintenance)
- Length of storm drain pipe cleaned
- Number of outfalls cleaned (also express as percentage of total number in municipality of possible)
- Number of catch basin sumps inspected and cleaned (also express as percentages of total number in municipality if possible)
- Any upgrades or technology improvements in overall system
- Development, and implementation of policies/procedures, and training of staff, with regard to:
    - Priority setting for different portions of the system based on waterbody impacts and listed waters

- Inspection of system components and recordkeeping/frequency tracking
- Technology improvements and installation
- Maintenance, repair, stabilization, and cleanout of system components
- Public education and communications

STREET AND BRIDGE MAINTENANCE

Street sweeping

All roadways within a municipality should be swept annually, at a minimum, and more frequently if possible in areas where construction is taking place or in low lying areas where sediment collects. Sweeping removes not only sediment, but also trash, leaf litter, and other debris. Spoils should be disposed of appropriately as described above under "Catch basin and inline structure cleanout procedures."

Bridge and culvert maintenance

Improper sizing or maintenance of bridges and culverts crossing streams or bodies of water can lead to significant erosion and subsequent discharges of sediment to receiving water bodies. Keeping these crossing points stable is an important part of any street or bridge maintenance program. Proper erosion and sediment control techniques based on the New York Standards and Specifications for Erosion and Sediment Control should be employed when bridge or culvert replacement is undertaken. Careful attention to stabilization and minimization of the impact to adjacent streambanks is also critical.

Reportable measurable goals for Street and Bridge Maintenance

- Quantity (tons or cubic yards per year) of debris and material cleaned from streets, sidewalks, and parking lots within calendar year (also expressed as percentage of sand applied during winter road maintenance)
- Number of culverts inspected, repaired, and replaced
- Miles of street swept annually as a percentage of total miles in the municipality.

- Number of bridge repair/replacement projects with incorporated pollution prevention or streambank erosion control components
- Development, staff training, and implementation for policies regarding:
  - Street cleaning prioritization strategy
  - Schedules and frequency for streets sweeping
  - Schedules and frequency for culvert inspection and repair
  - Sidewalk and municipally owned parking lot cleaning
  - Pollution prevention and streambank erosion control in bridge maintenance

WINTER ROAD MAINTENANCE

Salt storage and handling

Proper storage and careful handling of deicing materials prevents them from becoming a threat to water quality at municipal facilities. Here are some general guidelines:

- Outdoor loading facilities should be equipped with a catch basin of sufficient capacity to handle the residue.
- Storage facility foundations are to be above the elevation of the surrounding area and should have a 0.5% slope away from the entranceway.
- Salt storage facilities should be covered and rainproof.
- Inspections for structural integrity should be performed periodically and repairs made as needed.

Applying deicing materials

Balancing the need for adequate winter road maintenance to maintain public safety with concerns for water quality represents a substantial challenge. Most products commonly used on roadways have the potential to result in negative impacts to water quality. Heavy use of sand necessitates more frequent street sweeping and cleaning of catch basins to prevent sedimentation, while excessive salt use results in water quality impacts.

Salt brine is also used as a prewetting additive to conventional road salt or as an exclusive deicing material. Prewetting is the process of spraying deicing salt with a solution of liquid chemical before spreading the salt on the roadway. Studies have show that

prewetting the salt helps it work more effectively as a deicing agent for two reasons: First, wet salt clings to the road instead of bouncing off or being swept off by traffic. This results in a decrease in the amount of salt spread, thus saving money and minimizing the impact on the environment. Second, to be effective as a deicing agent, salt requires moisture. Prewetting the salt ensures that there will be enough moisture to facilitate the melting process even when temperatures drop below freezing.

Here are some guidelines that can be followed to minimize these water quality impacts:

- Do not discharge excess salt or sand left on the roadways into a catch basin or directly into a stream or lake. This material should be swept up from the roadway with sweeping or scrubbing equipment and properly discarded.
- Maintain equipment and materials (including spreaders, road-weather systems, sand-salt mixture composition) properly.
- Calibrate equipment to manufacturer-recommended levels.
- Decisions about where and how much material to use should be made based on both public need and potential water quality impacts, with attention being paid to priority and listed water bodies.
- Remain up-to-date with available improvements to technology.

Reportable measurable goals for Winter Road Maintenance

- Inspection/repair of salt storage facilities and practices to ensure adequate cover of all deicing materials
- Calibration, testing, and maintenance of application technology equipment

- Reduction in overall sand or salt usage as a result of material selection, improved technology, application strategy, or staff training (e.g., annual tons)
- Development, and implementation of policies/procedures, and training of staff, with regard to:
    - Deicing material storage methods
    - Storage site operations and cleanup
    - Salt reduction options, including alternative methods
    - Improved application technologies
    - Maintenance of application equipment

- Drinking water well considerations, including private wells

SPILL RESPONSE PROCEDURE

Any release (leak or spill) of a petroleum product must be reported to NYSDEC, unless all four of the following criteria are met:

1. The spilled material is known to be less than five (5) gallons in quantity
2. The spill is contained and under the control of the spiller
3. The spill has not, and will not, reach the waters or lands of New York State
4. The spill is cleaned within two (2) hours of discovery

If any of the above criteria are not met, or are in doubt, the NYSDEC Spill Response Unit should be contacted at 1-800-457-7362.

If the person(s) responsible for the spill is (are) unknown, it is the responsibility of the person who discovers the spill to notify NYSDEC. The following information should be provided when calling the hotline:

- Name of the person making the report and his (her) relationship to any person who might be responsible for the spill
- Time and date of the discharge or discovery of the discharge
- Probable source of the discharge
- Location of the discharge in relation to bodies of water
- The type of petroleum discharged
- Possible health, fire, or explosion hazards resulting from the discharge
- The amount of petroleum discharged
- Current and anticipated cleanup and response actions
- Personnel currently at the discharge site
- Other government agencies that have been, or will be, notified

For other hazardous substances, NYSDEC must be notified in a similar manner of discharges that exceed the reportable quantity (RQ). A listing of hazardous substances, with RQs, is available from NYSDEC's website (6 NYCRR Part 597, www.dec.state.ny.us/website/regs/part597b.html).

If there is an immediate health threat, or a fire or explosion hazard, call 911. Generally, spills of hazardous substances also necessitate the contacting of fire or emergency services.

If it is safe to approach the scene, spills are to be contained as close to the source as possible with a dike of absorbent materials from an emergency spill kit.

Additional dikes should be constructed around storm drains, catch basins, and stormwater conveyances. Any contaminated spill residuals and oily debris should be set aside for proper treatment/disposal.

If a drinking water supply is expected to be contaminated as a result of the spill, the Dutchess County Department of Health must be notified at (845) 486-3475. The Department of Health will provide further guidance once they are contacted.

See Appendix J for an example spill response procedure poster to display within each municipal facility with chemical storage.

EMPLOYEE TRAINING

A pollution prevention training program is required for all highway and recreation department employees. The program should encompass the following topics:

- Good housekeeping and spill prevention practices, as detailed in this manual, which should become part of daily operations
- Spill response procedures including notification requirements, who to contact, location of emergency spill response equipment, and what actions to take under different circumstances or types of spills
- Management practices for handling hazardous materials, both new and waste products
- Documentation procedures for vehicle maintenance, catch basin cleanouts, street sweeping, spills, and materials and equipment inventory

An attendance sheet should be kept for each training session given to document that all employees have been fully trained. Training should be conducted annually, as well as when changes are made to the program. It may be most efficient to combine this type of training with other training programs, such as safety education and hazardous materials training.

All employees should be provided with a copy of this manual for review.

Appendices

Appendix A. Employee certification.

I, _____ herby certify that I have received a copy of the *Pollution*
(Print Name)
Prevention for Municipal Operations Manual on _____ and that I have
(Date)
reviewed and understand all information contained within it.

_____
Print Name

_____ _____
Signature Date

_____
Witness

Total time spent reviewing and/or attending training regarding this manual = _____ hours

* This signed certification shall be kept in the employee's file for the duration of their tenure with the municipality. Additionally, NYSDEC shall be notified of this certification as part of the municipality's Phase II stormwater program.

Appendix B. Facility inventory worksheet.

Name of facility: _____

Location of facility: _____

Outdoor Survey:

1. Where does rainwater runoff from roofs and parking areas drains to?
    a. Is this water treated prior to discharge into a receiving water body?

2. Are there any catch basins on the property?
    a. Where do they discharge?
    b. Is there inspection program in place to insure proper operation and maintenance?
    c. Is there erosion or excessive sediment at the discharge point?

3. How is the following stored prior to pick up?
    a. trash and garbage
    b. scrap metal
    c. recyclable material
    d. other

4. Are all storage containers covered?

5. How and where are sand and salt stored?
    a. Is the surface pervious or impervious?
    b. Is the material covered or uncovered?
    c. Is the salt/sand loading area swept to remove excess material?

6. What equipment is stored outdoors?
    a. What is under cover?
    b. What is exposed to the elements?
    c. Are there any signs of spills or leaks?

7. Is there a gas pump(s) at this location? {Note: see NYSDEC- Division of Environmental Remediation (Bulk Storage Help Line: (518) 402-9543) for information about bulk petroleum storage and permit requirements}
    a. What size are the tank(s)?
    b. Above or below ground?
    c. Are the tanks double or single walled?
    d. Is there cathodic protection?
    e. When was the last visual tank inspection (recommended monthly)?
    f. When was the last tightness test conducted (if required, every five years)?
    g. Is the dispensing area (e.g., gas pumps) covered?
    h. Is there an automatic shut off switch?
    i. Is the pumping area contained in case of spillage (e.g., bermed, sloped)

Indoor Survey:

1. Are there any active floor drain(s) in the facility?
    a. What activities occur within drainage distance?
    b. Where do the floor drain(s) discharge?

2. How and where are the following stored (see Appendix E for a chemical substances inventory sheet)?
    a. Motor oil
    b. Waste oil
    c. Paints
    d. Cleaning solvents
    e. Antifreeze
    f. Other automotive maintenance fluids
    g. Other liquid chemicals

3. How are waste fuel oil and used automotive fluids recycled?

4. Are heating oil, fuels, hydraulic fluid, and motor oil stored in tanks or drums?
    a. What is the condition of the tanks of drums?
    b. Do these containers have secondary containment structures to provide a reservoir for holding back of the fluid in the event of a spill?
    c. Are there any signs of leaks or staining?

5. Is there a maintenance schedule for vehicles and equipment?

6. Are Material Safety Data Sheets (MSDS) readily accessible?

7. Is a spill cleanup kit containing absorbent pads, household cat litter, or other absorbent materials readily available?

8. Are there signs posted stating steps to be taken in the event of a spill (example: Contain spill if possible, call 911, call NYSDEC)

Comments:

Corrective Actions Taken as a Result of this Inventory:

Inventory completed by:

_____
Print Name

_____
Date/Time:

_____
Signature

Appendix C. Spill response log.

Date/Time (note man-hours spent on task)	Person Reporting	Receiving catch basin/stream/ waterbody	Substance Spilled	Approx. Amount	Location of Spill	Clean up Action(s)	Person Responsible for Clean up	To Whom Reported	Remedial Action to Prevent Recurrence (if possible)

Appendix D. Sample vehicle repair log for fluid leaks.

Date/Time (note man-hours spent on task)	Vehicle Number/Name	Fluid Discharged	How Discovered	Repair Action Taken	Notes

Appendix E. Chemical substances inventory sheet.

ID #	Substance	Use (Indoor/Outdoor)	Storage Location	Storage Method (e.g., secondary spill containment, locked chemical closet, etc.)	MSDS on file (Y/N)

** A floor plan schematic showing the location of all of the above listed chemicals (using ID numbers) should accompany this table. Both should be included in the front of facility's MSDS binder. This completed table and floor plan should be provided to the local fire department(s) for fire safety purposes.

Appendix F. Catch basin inspection and clean out log.

Date/Time (note man-hours spent on task)	Person Reporting	Name of Roadway	Start Point	End Point	# catch basins inspected	# catch basins cleaned	Amount of material collected	Repairs Needed	Notes

Appendix G. Culvert and road-side ditch inspection and clean out.

Date/Time (note man-hours spent on task)	Person Reporting	Name of Roadway	Start Point	End Point	# culverts inspected	# culverts cleaned	# ditch miles inspected	# ditch miles cleaned	Amount of material collected	Repairs Needed	Notes

Appendix H. Outfall inspection and clean out.

Date/Time: _____ **Weather (last 72 hours):_____**
Person Reporting: _____ **Total man hours spent on task = _____ hrs**

Outfall ID								
Closest roadway								
Type of outlet protection								
Outlet protection ok? (Y/N)								
Debris/sediment blockage (Y/N)								
Erosion/scour present (Y/N)								
Excess sediment, debris, and/or trash								
Functioning?								
Odor?								
Color?								
Foam (Y/N)?								
Algae growth (Y/N)?								
Amount of material removed								
Repairs/Cleaning needed								
Possible illicit connections								
Notes								

Appendix I. Street sweeping log.

Date/Time (note man-hours spent on task)	Person Reporting	Name of Roadway	Start Point	End Point	Distance Swept	Amount of Material Collected	Repairs Needed	Notes

Appendix J. Example spill response procedures poster.

In Case of a Spill…

1. **Contain spill (if possible).**
   a. Prevent spill from entering nearby catch basins/drains/water bodies (if possible)

2. **Determine the size of the spill (volume) and the material spilled**

3. **Notify Spill Response Contact**

   Primary Contact: _____ Phone #: _____

   Alternate 1: _____ Phone #: _____

   Alternate 2: _____ Phone #: _____

4. **If <u>5 gallons</u> or more**
   a. **Call 911!**
   b. Notify NYSDEC Spill Response Unit – (800) 457-7362**

5. **If less than <u>5 gallons</u>**
   a. Call 911 if you don't feel you can clean up the spill safely and/or completely
   b. Obtain the MSDS for the substance
   c. Use proper PPE
   d. Absorb spill with proper material (see Spill Kit (if applicable))
   e. Properly clean up and dispose of waste spill containment material
   f. Document spill and clean up activities
   g. Notify NYSDEC Spill Response Unit – (800) 457-7362**
   h. If applicable, address cause of spill to prevent it from happening again in the future

** Any release (leak or spill) of a petroleum product must be reported to NYSDEC, unless <u>all</u> four of the following criteria are met:
1. The spilled material is known to be less than five (5) gallons in quantity
2. The spill is contained and under the control of the spiller
3. The spill has not, and will not, reach the waters or lands of New York State
4. The spill is cleaned within two (2) hours of discovery

Dutchess County
Soil and Water Conservation District
Farm & Home Center
2715 Route 44, Suite 3
Millbrook, New York 12545

NYS Department of
Environmental Conservation
625 Broadway
Albany, New York 12233

Appendix K

Annual Reporting

(On File with Village Clerk)

3258632975

MS4 Annual Report Cover Page

MCC form for period ending March 9, 2015

This cover page must be completed by the report preparer.
Joint reports require only one cover page.

SPDES ID: NYR20A344

Choose one:

● **This report is being submitted on behalf of an individual MS4.**

Fill in SPDES ID in upper right hand corner.

Name of MS4: Village of Wappingers Falls

OR

○ **This report is being submitted on behalf of a Single Entity**

(Per Part II.E of GP-0-10-002)

Name of Single Entity:

OR

○ **This is a joint report being submitted on behalf of a coalition.**

Provide SPDES ID of each permitted MS4 included in this report. Use page 2 if needed.

Name of Coalition:

SPDES ID: NYR20A	SPDES ID: NYR20A	SPDES ID: NYR20A
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SPDES ID: NYR20A	SPDES ID: NYR20A	SPDES ID: NYR20A

MS4 Annual Report Cover Page

MCC form for period ending March 9, 2015

Provide SPDES ID of each permitted MS4 included in this report.

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MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

Name of MS4: Village of Wappingers Falls

SPDES ID: NYR20A344

Each MS4 must submit an MCC form.

Section 1 - MCC Identification Page

Indicate whether this MCC form is being submitted to certify endorsement or acceptance of:

- ● An Annual Report for a single MS4
- ○ A Single Entity (Per Part II.E of GP-0-10-002)
- ○ A Joint Report

Joint reports may be submitted by permittees with legally binding agreements.

If Joint Report, enter coalition name:

5690581587

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

Name of MS4 Village of Wappingers Falls

SPDES ID NYR20A344

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

   A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

   If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- ● Principal Executive Officer/Chief Elected Official
- ○ Duly Authorized Representative
- ○ Local Stormwater Public Contact
- ○ Stormwater Management Program (SWMP) Coordinator
- ○ Report Preparer

First Name: Matt | MI: | Last Name: Alexander

Title: Mayor

Address: 2582 South Avenue

City: Wappingers Falls | State: NY | Zip: 12590 -

eMail: matt@wappingersfallsny.gov

Phone: (845) 297-8773 | County: Dutchess

5690581587

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

Name of MS4: Village of Wappingers Falls

SPDES ID: NYR20A344

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

○ Principal Executive Officer/Chief Elected Official

○ Duly Authorized Representative

● Local Stormwater Public Contact

● Stormwater Management Program (SWMP) Coordinator

○ Report Preparer

First Name: John | MI: M | Last Name: Karge

Title: Village Clerk

Address: 2582 South Avenue

City: Wappingers Falls | State: NY | Zip: 12590-

eMail: jmkarge@optonline.net

Phone: (845) 297-8773 | County: Dutchess

5690581587

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

Name of MS4: Village of Wappingers Falls

SPDES ID: NYR20A344

Section 2 - Contact Information

Important Instructions - Please Read

Contact information must be provided for ***each*** of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

○ Principal Executive Officer/Chief Elected Official

○ Duly Authorized Representative

○ Local Stormwater Public Contact

○ Stormwater Management Program (SWMP) Coordinator

◉ Report Preparer

First Name: Eric | MI: M | Last Name: Schlobohm

Title: Project Engineer

Address: Insite Engineering, 3 Garrett Pl.

City: Carmel | State: NY | Zip: 10512-

eMail: eschlobohm@insite-eng.com

Phone: (845) 225-9690 | County: Putnam

4643023765

MS4 Municipal Compliance Certification (MCC) Form

MCC form for period ending March 9, 2015

Name of MS4: Village of Wappingers Falls

SPDES ID: NYR20A344

Section 3 - Partner Information

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period? ● Yes ○ No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name: Dutchess County MS4 Coordination

Partner/Coalition Name (con't.): Committee

SPDES Partner ID - If applicable: NYR20

Address: 2715 Rt 44, Suite 3

City: Millbrook

State: NY

Zip: 12545 -

eMail: erin.sommerville@ny.nacdnet.net

Phone: (845) 677 - 8011

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.? ● Yes ○ No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- ● MM1: Bill Board-Multiple Tasks
- ● MM2: Multiple Tasks
- ● MM3: Multiple Tasks
- ● MM4: Training - Multiple Tasks
- ● MM5: Multiple Tasks
- ● MM6: Training - Multiple Tasks

Additional tasks/responsibilities

○ *Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

MS4 Municipal Compliance Certification(MCC) Form

MCC form for period ending March 9, 2015

Name of MS4: Village of Wappingers Falls

SPDES ID: NYR20A344

Section 4 - Certification Statement

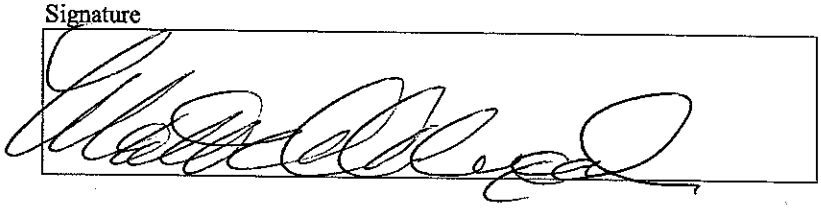
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage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

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name: Matt | MI: | Last Name: Alexander

Title (Clearly print title of individual signing report): Mayor

Signature:



Date: 05/14/2015

Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator
Division of Water
4th Floor
625 Broadway
Albany, New York 12233-3505

1100364151

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Water Quality Trends

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s are contributed to this report? ___

1. Has this MS4/Coalition produced any reports documenting water quality trends related to stormwater? If not, answer No and proceed to Minimum Control Measure One.

○ Yes ● No

If Yes, choose one of the following

○ Report(s) attached to the annual report

○ Web Page(s) where report(s) is/are provided below

Please provide specific address of page where report(s) can be accessed - not home page.

URL

URL

URL

URL

4286299954

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 1. Public Education and Outreach

The information in this section is being reported (check one):

- ● On behalf of an individual MS4
- ○ On behalf of a coalition

How many MS4s contributed to this report? ___

1. Targeted Public Education and Outreach Best Management Practices

Check all topics that were included in Education and Outreach during this reporting period:

- ● Construction Sites
- ● General Stormwater Management Information
- ● Household Hazardous Waste Disposal
- ● Illicit Discharge Detection and Elimination
- ○ Infrastructure Maintenance
- ○ Smart Growth
- ○ Storm Drain Marking
- ● Green Infrastructure/Better Site Design/Low Impact Development
- ○ Other:

Other: _____

- ● Pesticide and Fertilizer Application
- ● Pet Waste Management
- ● Recycling
- ● Riparian Corridor Protection/Restoration
- ● Trash Management
- ● Vehicle Washing
- ● Water Conservation
- ● Wetland Protection
- ○ None

2. Specific audiences targeted during this reporting period:

- ● Public Employees
- ● Residential
- ● Businesses
- ○ Restaurants
- ● Other:

Other: Landscapers/Lawn Care

- ● Contractors
- ● Developers
- ● General Public
- ● Industries
- ○ Agricultural

7870299956

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

3. What strategies did your MS4/Coalition use to achieve education and outreach goals during this reporting period? Check all that apply:

● Construction Site Operators Trained	# Trained	51
● Direct Mailings	# Mailings	2500
● Kiosks or Other Displays	# Locations	6
● List-Serves	# In List	58
○ Mailing List	# In List	
● Newspaper Ads or Articles	# Days Run	27
● Public Events/Presentations	# Attendees	1850
○ School Program	# Attendees	
● TV Spot/Program	# Days Run	2
● Printed Materials:	Total # Distributed	4350

Locations (e.g. libraries, town offices, kiosks)

Cornell Coop Ext

Adams Fair Acre Farm

DC Soil and Water

Village Hall

● Other:

Library

● Web Page: Provide specific web addresses - not home page. Continue on next page if additional space is needed.

URL

http://dutchessswcd.org

URL

http://dutchesswatersheds.org

0704299955

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

3. Web Page con't.: Provide specific web addresses - not home page.

URL: www.wappingersfallsny.gov/stormwater

URL: http://www.dec.ny.gov/chemical/8468.html

URL:

URL:

URL:

URL:

URL:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

- Develop new target audience.
- Evaluate prior distributions for redistribution.
- Install 50 additional drain inlet markers.
- Develop additional drop off locations.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

75 brochures distributed via displays.
2,500 stormwater brochures distributed with Village utility bills in two mailings.
25 people attended an information session on the Green Innovation Grant Program project in September 2014.

C. How many times was this observation measured or evaluated in this reporting period?

10

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this Measurable Goal during this reporting period? ● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP? ● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Develop new target audience.
- Evaluate prior distributions for redistribution.
- Install 50 additional drain inlet markers.
- Develop additional drop off locations.

4961183103

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 2. Public Involvement/Participation

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s contributed to this report?

1. What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program (SWMP) Plan during this reporting period? Check all that apply:

● Cleanup Events — # Events: 2

● Comments on SWMP Received — # Comments: 0

● Community Hotlines

Phone # (845) 297-8773
Phone # (845) 297-5277
Phone # (845) 297-9758
Phone # ( ) -
Phone # ( ) -

Phone # ( ) -
Phone # ( ) -
Phone # ( ) -
Phone # ( ) -
Phone # ( ) -

● Community Meetings — # Attendees: 15

● Plantings — Sq. Ft.: 18295

○ Storm Drain Markings — # Drains:

● Stakeholder Meetings — # Attendees: 100

○ Volunteer Monitoring — # Events:

○ Other:

2. Was public notice of availability of this annual report and Stormwater Management Program (SWMP) Plan provided? ● Yes ○ No

○ List-Serve — # In List:

● Newspaper Advertising — # Days Run: 7

● TV/Radio Notices — # Days Run: 2

● Other: Notice at Village Hall

● Web Page URL: Enter URL(s) on the following two pages.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

2. URL(s) con't.:

Please provide specific address(es) where notice(s) can be accessed - not home page.

URL: www.wappingersfallsny.gov/stormwater

URL:

URL:

URL:

URL:

URL:

URL:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

2. URL(s) con't.:

Please provide specific address(es) where notices can be accessed - not home page.

URL

URL

URL

URL

URL

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

○ MS4/Coalition Office ○ Annual Report ○ SWMP Plan ○ Comments

Department

Address

City Zip

Phone ( ) -

○ Library ○ Annual Report ○ SWMP Plan ○ Comments

Address

City Zip

Phone ( ) -

● Other ● Annual Report ● SWMP Plan ○ Comments

Address: 2582 South Avenue

City: Wappingers Falls NY Zip: 12590 -

Phone: (845) 297 - 8773

● Web Page URL: ● Annual Report ○ SWMP Plan ○ Comments

www.wappingersfallsny.gov/stormwater

Please provide specific address of page where report can be accessed - not home page.

○ eMail ○ Comments

0614183104

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

4.a. If this report was made available on the internet, what date was it posted?
Leave blank if this report was not posted on the internet. ___ / ___ / ____

4.b. For how many days was/will this report be posted? ___

If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

5.a. Was an Annual Report public meeting held in this reporting period? ◉ Yes ○ No
If Yes, what was the date of the meeting? 05 / 13 / 2015

If No, is one planned? ○ Yes ○ No

5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period? ● Yes ○ No

If No, is one planned for each? ○ Yes ○ No

6. Were comments received during this reporting period? ○ Yes ● No
If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

2013032775

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

7. Evaluating Progress Toward Measurable Goals MCM 2

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Create/strengthen partnerships with area watershed groups including financial support.
Encourage participation in annual Village cleanup.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

30 volunteers participated in the Village cleanup.
20 people attended information session on Green Innovation Grant Program.

C. How many times was this observation measured or evaluated in this reporting period?

10

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Work with Wappingers Lake Committee to continue lake management activities (weed harvesting, goose egg oiling, trash removal, lake side plant management). Continue Village cleanup event.

7368169291

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 3. Illicit Discharge Detection and Elimination

The information in this section is being reported (check one):

- ● On behalf of an individual MS4
- ○ On behalf of a coalition

How many MS4s contributed to this report? ___

1. Enter the number and approx. percent of outfalls mapped: 23 # 100 %

2. How many of these outfalls have been screened for dry weather discharges during this reporting period (outfall reconnaissance inventory)? 11

3.a. What types of generating sites/sewersheds were targeted for inspection during this reporting period?

- ○ Auto Recyclers
- ○ Building Maintenance
- ○ Churches
- ○ Commercial Carwashes
- ○ Commercial Laundry/Dry Cleaners
- ○ Construction Vehicle Washouts
- ○ Cross-Connections
- ○ Distribution Centers
- ○ Food Processing Facilities
- ○ Garbage Truck Washouts
- ○ Hospitals
- ○ Improper RV Waste Disposal
- ○ Industrial Process Water
- ○ Landscaping (Irrigation)
- ○ Marinas
- ○ Metal Plateing Operations
- ○ Outdoor Fluid Storage
- ○ Parking Lot Maintenance
- ○ Printing
- ○ Residential Carwashing
- ○ Restaurants
- ○ Schools and Universities
- ○ Septic Maintenance
- ○ Swimming Pools
- ○ Vehicle Fueling
- ○ Vehicle Maint./Repair Shops
- ○ Other:
- ● None

○ Sewersheds:

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

3.b. What types of illicit discharges have been found during this reporting period?

- ○ Broken Lines From Sanitary Sewer
- ○ Cross Connections
- ○ Failing Septic Systems
- ○ Floor Drains Connected To Storm Sewers
- ○ Illegal Dumping
- ○ Other:
- ○ Industrial Connections
- ○ Inflow/Infiltration
- ○ Pump Station Failure
- ○ Sanitary Sewer Overflows
- ○ Straight Pipe Sewer Discharges
- ● None

4. **How many illicit discharges/potential illegal connections have been detected during this reporting period?** 0

5. **How many illicit discharges have been confirmed during this reporting period?** 0

6. **How many illicit discharges/illegal connections have been eliminated during this reporting period?** 0

7. **Has the storm sewershed mapping been completed in this reporting period?** ○ Yes ● No
   If No, approximately what percent was completed in this reporting period? 0 %

8. **Is the above information available in GIS?** ○ Yes ● No
   Is this information available on the web? ○ Yes ● No
   If Yes, provide URL(s):

Please provide specific address of page where map(s) can be accessed - not home page.

URL

URL

5820169292

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

8. URL(s) con't.:

Please provide specific address of page where map(s) can be accessed - not home page

URL

URL

URL

URL

URL

9. Has an IDDE law been adopted for each traditional MS4 and/or have IDDE procedures been approved for all non-traditional MS4s contributing to this report? ● Yes ○ No

10. If Yes, has every traditional MS4 contributing to this report certified that this law is equivalent to the NYS Model IDDE Law? ● Yes ○ No ○ NT

11. What percent of staff in relevant positions and departments has received IDDE training?

82 %

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Inspect catch basins and outfalls annually.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

48% of outfalls were inspected. No illicit discharges were identified this reporting year.
66 catch basins were inspected and cleaned.

C. How many times was this observation measured or evaluated in this reporting period?

1

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue annual inspections.

Work with Dutchess County Soil & Water Conservation District to perform storm sewershed mapping.

5624056356

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measures 4 and 5.
Construction Site and Post-Construction Control

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition
How many MS4s contributed to this report? ___

1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities? ● Yes ○ No

1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney cerfification or using the NYSDEC Gap Analysis Workbook? ● Yes ○ No ○ NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.
○ 09/2004 ● 03/2006 ○ NT

2. Does your MS4/Coalition have a SWPPP review procedure in place? ● Yes ○ No

3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period? 1

4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs? ● Yes ○ No ○ NT

If Yes, how many public comments were received during this reporting period? 0

5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process? ● Yes ○ No

6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:

● Notices of Violation	#	0	○ No Authority
● Stop Work Orders	#	0	○ No Authority
● Criminal Actions	#	0	○ No Authority
○ Termination of Contracts	#		● No Authority
● Administrative Fines	#	0	○ No Authority
○ Civil Penalties	#		● No Authority
○ Administrative Orders	#		● No Authority
● Enforcement Actions or Sanctions	#	0	
○ Other	#		○ No Authority

9445612573

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s contributed to this report? ___

1. **How many construction projects have been authorized for disturbances of one acre or more during this reporting period?** 1

2. **How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?** 2

3. **What percent of active construction sites were inspected during this reporting period?** ○ NT
   100 %

4. **What percent of active construction sites were inspected more than once?** ○ NT
   100 %

5. **Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual?** ● Yes ○ No ○ NT

6. **Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval?** ● Yes ○ No ○ NT

   If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review? ○ Yes ○ No

   If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

6. con't.:

Submit additional pages as needed.

○ MS4/Coalition Office

Department

Address

City Zip

Phone ( ) -

○ Library

Address

City Zip

Phone ( ) -

● Other

Address: 2582 South Street

City: Wappingers Falls NY Zip: 12590-

Phone ( ) -

○ Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Provide training to contractors.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

51 contractors trained.

C. How many times was this observation measured or evaluated in this reporting period?

1

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Continue to provide contractor training.

1048119251

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 5. Post-Construction Stormwater Management

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s contributed to this report? ___

1. How many and what type of post-construction stormwater management practices has your MS4/Coalition inventoried, inspected and maintained in this reporting period?

	# Inventoried	# Inspections	# Times Maintained
○ Alternative Practices			
● Filter Systems	1	1	
○ Infiltration Basins			
○ Open Channels			
● Ponds	5		
○ Wetlands			
○ Other			

2. Do you use an electronic tool (e.g. GIS, database, spreadsheet) to track post-construction BMPs, inspections and maintanance? ○ Yes ● No

3. What types of non-structural practices have been used to implement Low Impact Development/Better Site Design/Green Infrastructure principles?

○ Building Codes	○ Municipal Comprehensive Plans
○ Overlay Districts	● Open Space Preservation Program
○ Zoning	○ Local Law or Ordinance
○ None	● Land Use Regulation/Zoning
○ Watershed Plans	○ Other Comprehensive Plan

● Other: Planning Board Review

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?

○ Yes ● No

4b. Does the MS4 have a banking and credit system for stormwater management practices?

○ Yes ● No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?

○ Yes ● No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period?

0

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period?

0 %

1610116332

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

6. Evaluating Progress Toward Measurable Goals MCM 5

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Inspect catch basins annually.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

100% of catch basins inspected.

C. How many times was this observation measured or evaluated in this reporting period?

1

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

Catch basins to be inspected annually.

6894134836

MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2015

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s contributed to this report? ___

1. **Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.**

Operation/Activity/Facility	Addressed in SWMP?		Self-Assessment Operation/Activity/Facility performed within the past 3 years?	
Street Maintenance	● Yes	○ No	○ Yes	● No
Bridge Maintenance	○ Yes	○ No	○ Yes	○ No
Winter Road Maintenance	● Yes	○ No	○ Yes	● No
Salt Storage	○ Yes	○ No	○ Yes	○ No
Solid Waste Management	○ Yes	○ No	○ Yes	○ No
New Municipal Construction and Land Disturbance	● Yes	○ No	○ Yes	● No
Right of Way Maintenance	○ Yes	○ No	○ Yes	○ No
Marine Operations	○ Yes	○ No	○ Yes	○ No
Hydrologic Habitat Modification	○ Yes	○ No	○ Yes	○ No
Parks and Open Space	● Yes	○ No	○ Yes	● No
Municipal Building	● Yes	○ No	○ Yes	● No
Stormwater System Maintenance	● Yes	○ No	○ Yes	● No
Vehicle and Fleet Maintenance	● Yes	○ No	○ Yes	● No
Other	○ Yes	○ No	○ Yes	○ No

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

2. Provide the following information about municipal operations good housekeeping programs:

● Parking Lots Swept (Number of acres X Number of times swept)	# Acres	3
● Streets Swept (Number of miles X Number of times swept)	# Miles	48
● Catch Basins Inspected and Cleaned Where Necessary	#	167
● Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary	#	1
○ Phosphorus Applied In Chemical Fertilizer	# Lbs.	
○ Nitrogen Applied In Chemical Fertilizer	# Lbs.	
○ Pesticide/Herbicide Applied (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)	# Acres	.

3. How many stormwater management trainings have been provided to municipal employees during this reporting period? 1

4. What was the date of the last training? 02 / 26 / 2015

5. How many municipal employees have been trained in this reporting period? 11

6. What percent of municipal employees in relevant positions and departments receive stormwater management training? 92 %

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

7. Evaluating Progress Toward Measurable Goals MCM 6

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.

Catch basins and roads are cleaned annually.
Train highway/water department.

B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.

Catch basins and roads cleaned.
9 members of highway department/water department received training during the reporting period.

C. How many times was this observation measured or evaluated in this reporting period?

6

(ex.: samples/participants/events)

D. Has your MS4 made progress toward this measurable goal during this reporting period?

● Yes ○ No

E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?

● Yes ○ No

F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).

- Continue catch basin and roadway cleaning of all catch basins and roads and quantify material removed in field log book.
- Continue to provide training class for all highway employees.
- Develop stormwater improvements at Highway Garage.
- Train SMO.
- Continue to pursue green innovation grant program.

6327042251

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

● On behalf of an individual MS4
○ On behalf of a coalition

How many MS4s contributed to this report? ___

MS4s must answer the questions or check NA as indicated in the table below.

MS4 Description	Answer	Check NA	(POC)
NYC EOH Watershed	-	-	-
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
Onondaga Lake Watershed	-	-	-
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Greenwood Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Oyster Bay	-	-	-
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
Peconic Estuary	-	-	-
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
Oscawana Lake Watershed	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
LI 27 Embayments	-	-	-
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

1. **Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies?** ○ Yes ○ No ○ N/A

2. **Has 100% of the MS4/Coalition conveyance system been mapped in GIS?** ○ Yes ○ No ○ N/A

   If N/A, go to question 3.

   If No, estimate what percentage of the conveyance system has been mapped so far. ___ %

   Estimate what percentage was mapped in this reporting period. ___ %

2244042255

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

3. **Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program?** ○ Yes ○ No ○ N/A

4. **Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period?** ___ %

5. **Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more?** ○ Yes ○ No ○ N/A

6. **Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards?** ○ Yes ○ No ○ N/A

7a. **Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading?** ○ Yes ○ No ○ N/A

7b. **How many projects have been sited in this reporting period?** ___

7c. **What percent of the projects included in 7b have been completed in this reporting period?** ___ %

7d. **What percent of projects planned in previous years have been completed?** ___ %

○ No Projects Planned

8a. **Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands?** ○ Yes ○ No ○ N/A

8b. **Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands?** ○ Yes ○ No ○ N/A

MS4 Annual Report Form

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Name of MS4/Coalition: Village of Wappingers Falls

SPDES ID: NYR20A344

9. Has your MS4/Coalition developed and implemented a program of native planting?
○ Yes ○ No ○ N/A

10. Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?
○ Yes ○ No ○ N/A

11. Does your MS4/Coalition have a pet waste bag program?
○ Yes ○ No ○ N/A

12. Does your MS4/Coalition have a program to manage goose populations?
○ Yes ○ No ○ N/A

Appendix L

Submitted Construction Site SWPPPs & Review Letters

(Located in SMO Filing Cabinet)

Appendix M

Construction Site Inspection Reports

(Located in SMO Filing Cabinet)

Appendix N

Correspondence from Highway Garage Facility Designer

Eric Schlobohm

From: Joseph Paggi Jr (KC Engineering-POU) <jpaggi@kcepc.com>
Sent: Tuesday, October 06, 2015 12:55 PM
To: jmkarge@optonline.net
Subject: RE: New Highway Garage SWPPP

We did not prepare one as it was less than one acre

Joseph E. Paggi, Jr., P.E., Senior Vice President

Engineering and Land Surveying, P.C.

56 Main Street
Poughkeepsie, New York 12601-2948
(845) 471-7898 Tel. (General No.)
(845) 228-3883 Tel. (Direct Line)
(845) 471-0905 Fax
jpaggi@kcepc.com

From: jmkarge@optonline.net [mailto:jmkarge@optonline.net]
Sent: Tuesday, October 06, 2015 10:24 AM
To: Joseph Paggi Jr (KC Engineering-POU)
Cc: Lisa Weiss (KC Engineering-POU)
Subject: New Highway Garage SWPPP

Hi Jay , can you send me a copy of the SWPPP for the new highway garage. I need it for the stormwater management plan...Tks John

Respectfully yours,

John M. Karge, RMC, CMC.
"Village Clerk"
845-297-8773 ext.5