Prepared For:
NextEra Energy Resources, LLC &
DG New York CS IV, LLC
700 Universe Blvd.
Juno Beach, FL 33408

Submitted by:
LaBella Associates
300 State Street
Suite 201
Rochester, NY 14614
(585) 454-6110

LaBella
Powered by partnership.

Riley Road Solar Array
Preliminary Stormwater Pollution Prevention Plan

DECEMBER 2020
PROJECT NO. 2201200.08

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FIGURES

APPENDICES

SWPPP REFERENCES UNDER SEPARATE COVER

1. CONTRACT DOCUMENTS (Plans) for DG New York CS IV, LLC Solar & Energy Storage Project dated December 2020 last revised December 2020, prepared by LaBella Associates, D.P.C.

SECTION 1: INTRODUCTION

1.1 Site Address, Scope, Type, and Size of Project

NextEra Energy Resources, LLC and DG New York CS IV, LLC are developing plans for a 5.0 MW-AC solar array to be installed on approximately 36.1 of vacant farmland located at 1902 Riley Rd, at the corner of Riley Rd and East River Road, in the Town of Cortlandville, (tax parcel ID: 87.00-03-08.112). The property is located in the Upper Tioughnioga River watershed.

The subject property is a 52.06-acre parcel, currently zoned as Agriculture. The site is bound by interstate 81 to the west and south, Riley Road to the north, and vacant farmland to the east. There is some wooded screening along the property boundary along interstate 81.

The proposed Solar Energy System for the property includes the installation of fixed-tilt, freestanding solar tables consisting of approximately 20,982 modules/panels. The array will be surrounded by a 6-ft. tall, barbed wire fence.

The project is not subject to the requirements of a regulated traditional land use control MS4. Refer to A-2 of Appendix A showing regulated MS4 areas on the NYSDEC's Stormwater Interactive Map. Refer to Figure 1 for a Location Map.

1.2 Owner or Operator, and SWPPP Preparer Information

OWNER OR OPERATOR, AND SWPPP PREPARER INFORMATION

Owner/Operator	DG New York CS IV, LLC 700 Universe Blvd. Juno Beach, FL 33408	Contact	Scott West
		Phone	561-304-5886
		Email	scott.west@nee.com
SWPPP Preparer	LaBella Associates 300 State Street Rochester New York 14614	Contact	Drazen Gasic
		Phone	585-454-6110
		Email	dgasic@labellapc.com
Qualified Inspector	TBD	Contact	TBD
		Phone	TBD
		Email	TBD
Contractor	TBD	Contact	TBD
		Phone	TBD
		Email	TBD
24-Hour Emergency Contact	DG Monitor Center / ROCC	DG Phone	561-304-5562 (8-5 M-F)
		ROCC Phone	561-694-3636 (after hours)

SECTION 2: EXISTING CONDITIONS

2.1 Existing Site

The site is located at 1902 Riley Road in the Town of Cortlandville, (tax parcel ID: 87.00-03-08.112) and is composed of primarily vacant farmland, with a wood screening to the south and west, there is also a cluster of dense grass in the middle of the site. The property is located in an agricultural area with most adjacent properties being farm/grasslands and scattered residential properties. The property contains one small wetland delineated by Ecology and Environment, Inc.; in the southern portion of the property and an existing easement for an overhead electric line located in the northeast portion of property.

Refer to Figure 1 for a Location Map. Refer to the Existing Conditions and Removals Plan, sheets C101 and C102, for a topographic survey of the site.

2.2 Drainage Patterns

The existing grades on this site span from 1145 feet above sea level at the maximum to approximately 1371 feet above sea level. The site generally slopes towards the west boundary of the site, where the entire drainage area will all generally sheet from the property and into offsite stormwater conveyance systems which will direct runoff to the Tioghnioga River, located west of the property across East River Road, which flows to the south. The site is located in the Upper Tioughnioga River Watershed. Refer to Figure 2 for the Existing Drainage Area Map.

The receiving water is not classified as a 303d impaired waterbody. Refer to A-1 of Appendix A for the watershed map showing no 303d segments downstream of the site/nearby impaired waters generated by the EPA's My Waters Mapper.

Existing runoff rates were modeled utilizing TR-55 with HydroCAD software, version 10.00-20. Refer to Appendix C for hydrograph outputs. The following table summarizes the results:

TABLE 1: EXISTING RUNOFF RATES

DRAINAGE AREA	10-YEAR STORM EVENT (CFS)	100-YEAR STORM EVENT (CFS)
CM-E1	107.30	255.63
CM-E1	107.30	255.63

2.3 Soils

Refer to A-3 in Appendix A for a Soils Map generated from the USDA's Web Soil Survey. Soils within the drainage area are as follows:

TABLE 2: HYDROLOGIC SOIL GROUP CLASSIFICATION

SYMBOL	MAP UNIT NAME	PERCENT OF AREA	HYDROLOGIC SOIL GROUP
62B	Mardin channery silt loam, 2-8% slopes	36.3	D
62C	Mardin channery silt loam, 8-15% slopes	16.9	D
134B	Bath channery silt loam, 3-8% slopes	22.5	C
134C	Bath channery silt loam, 8-15% slopes	8.4	C
134D	Bath channery silt loam, 15-25% slopes	16.0	C

For the purposes of this report, HSG X/D soils were modeled as HSG D soils to reflect the undrained condition.

The drainage area is composed of approximately 0% HSG A soils, 0% HSG B soils, 46.9% HSG C soils, and 53.1% HSG D soils.

For additional information on the existing soils, refer to Appendix B for the geotechnical report.

2.4 Environmental Resources

The NYSDEC's Environmental Resource Mapper indicates rare plants and/or rare animals in the vicinity of the site (Mussels – Listed as endangered or threatened & Rare Freshwater Mussels – Not Listed by NYS). It does not indicate any classified waterbodies on the site. Refer to A-4 of Appendix A for the Environmental Resource map within the project area.

2.5 Wetlands

The NYSDEC's Environmental Resource Mapper indicates no state-regulated wetlands or wetland buffers within vicinity of the project. Refer to A-4 of Appendix A for the Environmental Resource map within the project area.

The U.S. Fish and Wildlife Service's National Wetlands Inventory indicates no federally-regulated wetlands within the vicinity of the project. Refer to A-5 of Appendix A for the National Wetland Inventory map within the project area.

Ecology and Environment, Inc. has completed a Wetland and Waterbodies Report on June 2020. One palustrine emergent (PEM) wetland was delineated in the project area. The PEM wetland is approximately 0.05 acres in size. The wetland is likely not under NYSDEC jurisdiction and it is expected that USACE will take jurisdiction. In this project,

2.6 Flood Plain

FEMA's Flood Insurance Rate Map (FIRM), numbers 360178 and 360179, dated 3/2/2010 indicates that the project area is within Zone X, area of minimal hazard. Refer to A-6 of Appendix A for the FIRM within the project area.

2.7 New York State Office of Parks, Recreation, and Historic Preservation (SHPO)

SHPO's Cultural Resource Information System (CRIS) indicates no areas eligible for listing within the vicinity of the project. Refer to A-7 of Appendix A for the CRIS map within the project area.

2.8 Geotechnical Investigation

A Geotechnical Report was prepared by Kenney Geotechnical Engineering Services, PLLC on November 23. 2020. The Report can be seen in Appendix B.

SECTION 3: PLANNING

3.1 Preservation of Undisturbed Areas

The existing, pervious cover under the solar arrays shall be restored to predeveloped conditions.

3.2 Preservation of Buffers

Vegetative buffers and heavily wooded areas of this property have been avoided. Construction will occur in areas with minimal vegetation disturbance.

3.3 Reduction of Clearing and Grading

Development will occur on existing grades with minimal grading. No tree clearing will occur for this project.

3.4 Locating Development in Less Sensitive Areas:

A solar array is a good fit for this location due to the minimal impacts on the terrain as solar panels can be installed on the existing contours as is.

3.5 Open Space Design

Solar arrays have been spaced the minimum width apart per the Maryland Department of the Environment's Solar Design Guidance located in Appendix F.

3.6 Soil Restoration

All compacted soils located in lawn areas will be tilled in order to restore the original properties of the soil prior to seeding.

3.7 Roadway Reduction

The proposed roadway width is the minimum allowed in accordance with the Town of Cortlandville Design Standards.

The proposed roadway will be a pervious geoweb access road with washed stone, extending approximately 1,090 feet from the Riley Road to the westernmost concrete utility equipment pad.

3.8 Sidewalk Reduction

There are no sidewalks proposed as a part of this project.

3.9 Driveway Reduction

The proposed driveway width is the minimum allowed in accordance with the Cortland County Design Standards.

3.10 Cul-de-sac Reduction

There are no cul-de-sacs proposed as a part of this project.

3.11 Building Footprint Reduction

There are no new buildings or building additions proposed as a part of this project.

3.12 Parking Reduction

There are no parking lots proposed as a part of this project.

SECTION 4: PROPOSED CONDITIONS

4.1 Proposed Development

NextEra Energy Resources, LLC and DG New York CS IV, LLC are developing plans for the installation of one 5.00 MW-AC solar array to be installed on vacant grassland located at 1902 Riley Road, in the Town of Cortlandville (Parcel ID: 87.00-03-08.112).

Activities include the installation of a ground-mounted tracking solar energy system of approximately 20,748 freestanding modules/panels, new electrical equipment, including a transformer and inverter on concrete pads, and accessories including approximately 1,010 linear ft. of underground electrical line, 315 line ft. of overhead electrical line, 6 electrical poles, a pervious gravel access road and a 6 ft. tall barbed wire chain-link fence. The maximum depth of ground disturbance will not exceed 4 ft

and the posts of the solar tables will be installed at a depth of approximately 6-7 ft. Each row of solar tables will be about 5.5-ft. in height, 12-ft. in width, and of variable length, with low-growth pollinator-friendly seed mix planted underneath. There will be minimal vegetation removal, minimal grading, and minimal ground disturbance from solar module installation. The maximum extent of ground disturbance will be approximately 36 acres.

For utility connection, both underground and overhead electrical lines will be installed. Other project elements include 75 ft. front, side, and rear setbacks. Riley Road DG New York CS IV, LLC will participate in the NYSERDA NY-Sun Initiative for Community Solar to provide clean energy to local businesses and residences.

Refer to the Site Plan, sheets C201 and C202, for a map of the proposed features of the project.

4.2 Drainage Patterns

We acknowledge Scenario 1 from the NYSDEC's Solar Memorandum, which directs designers to follow the Maryland Department of the Environment's Solar Design Guidance, this site does not comply with that guidance due to the slopes seen on site. Given this the stormwater design will make use of water bars to control stormwater flows on site. Unlike the standard use for water bars, these water bars are designed to collect runoff from the panels, detain the water for a 100 yr storm, and conveyed from a shallow concentrated flow into a sheet flow. A detail of the water bar section can be found below. Water bars are spaced out per following standards set in the New York State Standards and Specifications for Erosion and Sediment Control and sized using the water bar sizing spreadsheet and HydroCAD software (version 10.00-20.), both of which are included in Appendix C. This methodology is currently be reviewed by the NYSDEC to determine if it's an acceptable practice. Written approval of this practice will be included in Appendix F upon receipt.

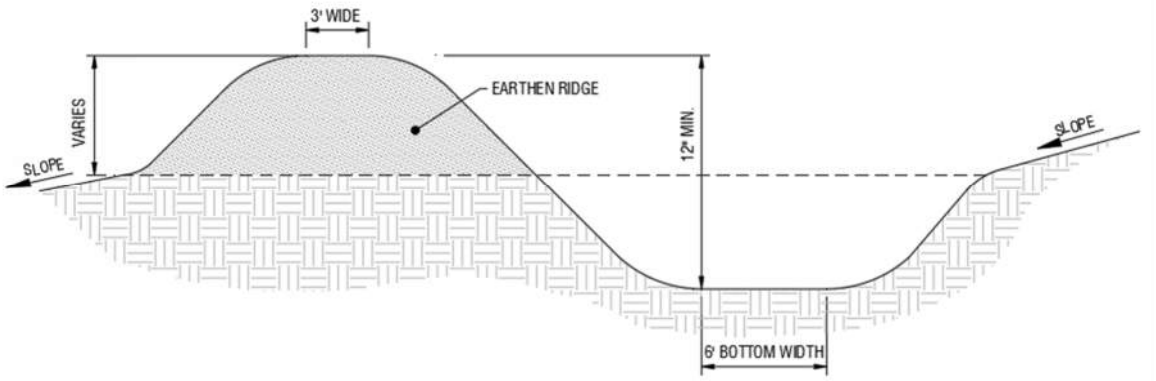

Figure 1: Water Bar Section

Proposed runoff rates were modeled utilizing TR-55 with HydroCAD software, version 10.00-20. Refer to Appendix C for hydrograph outputs. The following tables summarize the results:

TABLE 3: PROPOSED RUNOFF RATES

DRAINAGE AREA	10-YEAR STORM EVENT (CFS)	100-YEAR STORM EVENT (CFS)
CM-P1	107.30	255.63
TOTAL	107.30	255.63

4.3 Water Quality Volume

The required Water Quality Volume was calculated for the drainage area using the NYSDEC's Green Infrastructure Worksheets version 1.8. In accordance with the SWDM, the required Water Quality Volume is calculated using 100% of the new impervious WQV. For this project, gravel access roads will be considered pervious due to their specified cross section to allow drainage, with the only impervious areas being concrete pads for utility equipment. The project-specific worksheet is located in Appendix C. The total required Water Quality Volume WQ_V = 934 ft³.

A grass filter strip was used in the two catchments adjacent to impervious areas, as an area reduction technique to reduce the required Water Quality Volume by 934 ft³. Calculations for the grass filter strips can be found in Appendix C. The remaining required Water Quality Volume is 0 ft³, therefore the Water Quality Volume requirements have been met.

4.4 Runoff Reduction

The minimum Runoff Reduction Volume was calculated using the NYSDEC's Green Infrastructure Worksheets version 1.8. The project-specific worksheet is located in Appendix C. The minimum required Runoff Reduction Volume RR_V = 934 ft³.

Filter strips are being used wherever impervious areas have been proposed as an area reduction practice. For this project, 50 foot filter strips will be installed downstream of the concrete pads at a 2% maximum slope for the first 10 feet, and an overall slope of 8%. The total provided Runoff Reduction Volume RR_V = 934 cf which exceeds the required RR_V, therefore Runoff Reduction requirements have been met.

SECTION 5: STORMWATER MANAGEMENT

Not Used.

SECTION 6: EROSION CONTROL

6.1 Temporary Erosion Control Practices

Temporary erosion control practices will be installed prior to construction to limit silt migration to ditches, rivers, wetlands, permanent drainage structures, storm sewer systems and/or adjacent properties. Erosion and sediment control measures to be employed by the project have been prepared in accordance with the current version of the *New York Standards and Specifications for Erosion and Sediment Control.* The following practices are used for this project:

AT EARTHEN MATERIAL STOCKPILES:
- Provide silt fence surrounding all earthen material stockpiles such as topsoil or trench spoils (washed stone need not be protected).
- Inspect stockpiles daily and repair silt fence as necessary.

SUBGRADE PROTECTION:
- Use generally accepted construction practices to minimize areas of subgrade exposed at one time and protect exposed subgrade surfaces from erosion.
- Divert upgradient storm water where practical.
- Do not disturb the finished subgrade by traffic or other operations to prevent rutting.
- In asphalt areas place overlaying granular materials as soon as possible to minimize length of time prepared subgrade is exposed.
- In grassed areas, provide temporary seeding.
- Use proper dewatering operations.

AT DISTURBED CROSS SLOPES AND DOWN GRADIENT SITE PERIMETER:
- Silt fence will be installed at various locations as shown on the plans within the contract work limits.
- Silt fence will be set, relocated and reset to accommodate the changing grades and slopes during site development.
- Contractor to inspect silt fence daily. Remove accumulated silt to maintain flow through silt fence. Replace silt fence if bulges occur

AT DRAINAGE STRUCTURES:
- Provide inlet protection at each existing or proposed drainage structure within the project contract work limits as shown on the Contract Documents.
- Inspect the inlet protection following each rain event, and repair as necessary.
- Remove sediment to provide adequate storage volume for subsequent rain events.

DEWATERING OPERATIONS:
- Contractor shall develop and submit a dewatering operations plan for review and approval by the Architect/Engineer prior to commencement of soil disturbance. Intended methods to treat and discharge dewatering operations water shall be identified.
- Water pumped from trenches, building excavations or any other excavation can only be discharged if the quality is better than or equal to that of the receiving water course.
- Where trench water is not better than or equal to the receiving water course the contractor shall perform all work necessary to improve the quality in accordance with the requirements of the agency having jurisdiction.

- Work shall include, but not be limited to, siltation traps, filtration, screening, and settling meeting the requirements of *New York Standards and Specifications for Erosion and Sediment Control* as necessary to remove sediment prior to final discharge into receiving waters. Water from dewatering operations may also be containerized, treated and properly disposed.
- Water to be discharged in a non-erosive manner (preferably to a stabilized upland area than directly to a surface water).

AT SWALES:

- Contractor shall install sediment logs to reduce hydraulic energy & filter sediment-laden runoff.

TEMPORARY VEGETATIVE COVER:

- Provide temporary vegetative cover for material stockpiles such as stripped topsoil or work areas where construction activities have temporarily or permanently ceased.
- Restoration of grassed areas shall be completed as soon as reasonably possible.

Temporary measures shall be maintained until permanent stabilization is established. Size and location of all erosion control practices can be seen on the Erosion Control Plans, sheet series C500. Construction details of the temporary erosion control practices can be seen on plan sheet C702.

6.2 Permanent Erosion Control Measures

Permanent erosion and sediment control measures will be employed by the project to minimize erosion and scour after construction is complete. All practices have been prepared in accordance with the current version of the *New York Standards and Specifications for Erosion and Sediment Control.* The following practices are used for this project:

PERMANENT SEEDING WITH MULCHING

- Establish a uniform erosion-resistant perennial vegetative cover where the surface soil is capable of resisting erosion during runoff events.
- Seed as soon as ground surfaces are brought to final grade with topsoil unless unfavorable weather conditions exist or seeding would occur outside recommended dates for proper germination. Under these conditions, temporary seeding would be provided until such time as permanent seeding could commence.
- All areas disturbed during construction and not shown to receive other surface treatments (including, but not limited to, sod) will be restored with topsoil and seeded to provide stabilized vegetative cover.

6.3 Staging

The location of concrete washout areas, waste areas, equipment storage areas, and staging will be coordinated with local reviewing agency/Owner at the pre-construction meeting.

6.4 Construction Sequence

The construction schedule indicates work will begin in June 2021 and continue as necessary through December 2021.

Construction will occur during all seasons as necessary to complete the project. It is anticipated that site work will not experience a temporary shut down during the winter months. If a temporary shutdown were to occur, the contractor shall prepare all grass surfaces with temporary vegetation prior to the end of the growing season. All erosion control practices shall be installed and in proper working order prior to the temporary shutdown.

The Contractor shall install erosion control measures in the following sequence unless otherwise authorized by the Engineer or Qualified Inspector:

- Schedule a pre-construction meeting with Town officials, Owner, emergency services, utility & other agencies in attendance
- Submit erosion control measures and sequencing for review and approval by the Qualified Inspector.
- Install stabilized construction entrance.
- Install construction area and staging area fencing.
- Install perimeter sediment controls, including inlet protection on any existing drainage inlets.
- Protect existing vegetation and other environmental features to be preserved with orange construction fence or tree protection.
- Clear and grub trees, brush, shrubs, and other debris within designated areas.
- Remove and properly dispose of concrete pavement and other items designated for removal.
- Install additional erosion and sediment controls according to plan. Inspect, clean, and maintain erosion control measures as necessary and as ordered by the Qualified Inspector. Sweep public or private roadways, drives and parking areas as necessary to maintain clean from debris. Relocate and reset erosion control measures and construction fencing as required to complete work. All appropriate erosion and sediment control measures shall be in place and functional before commencement of construction of any segment of the project that requires such measures.
- Provide silt fence surrounding topsoil stockpiles, if on site.
- Stabilize denuded areas and stockpiles within 14 days of last construction activity in each area. (7 days if greater than 5 acres disturbed)
- Install utilities. Excess materials not backfilled in utility trenches shall be removed from the site or spoiled in areas approved by the Owner. Erosion control measures are not required around soils (earthen materials) excavated, side cast and backfilled into the trench within the same day.
- Dewater excavations as necessary. Pumped water shall be treated to remove sediment prior to discharge.
- Restore to finished grade as trench backfilling progresses. Maintain proper site drainage to protect work area, adjacent properties, swales, and other watercourses.
- Box out areas for pervious access roads and equipment pads. As utility replacements are complete, prepare the roadway subgrade as required.

- Install concrete washout area. No wet or fresh concrete, washings from concrete trucks, mixers or other devices, or concrete leachate shall be allowed to escape into any wetland or waters.
- Pour concrete pads as shown on the Contract Documents.
- Complete grading if required, reapply topsoil, install permanent seeding, fertilizer, and mulch.
- Complete pervious access road installation once all areas subject to runoff onto the pervious access road have achieved final stabilization.
- Capture, remove, and dispose of accumulated silt or sediment from silt fence and/or additional erosion and sediment control practices.
- Clean the site of all incidental construction materials that are not incorporated into the work, and properly dispose offsite.
- Seed, mulch and fertilize to establish vegetation at disturbed areas not designated for pavement or other surfaces. Where seed does not germinate, or where wash out, erosion, rutting or other damage occurs, repair damage, re-seed and re-fertilize as necessary to achieve 80% germination over 100% of the site.
- Remove all temporary erosion control practices upon approval of final stabilization by the Qualified Inspector.

No more than 5 acres of soil shall be disturbed at one time without prior written approval from the NYSDEC Regional Staff. It is expected that more than 5 acres will be disturbed at any one time during the course of the project.

A 5-acre waiver will be submitted to the NYSDEC Regional Office allowing/requesting disturbance of more than 5 acres at once for this project. The waiver will be added to Appendix F upon receipt.

6.5 Inspection and Maintenance

A Trained Contractor shall inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times.

For construction sites where soil disturbance activities are on-going, the Qualified Inspector shall conduct a site inspection at least once every seven (7) calendar days.

If at any time during construction, the Contractor disturbs more than five (5) acres at any one time, Qualified Inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days for the duration of the disturbance greater than five acres.

For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the Qualified Inspector shall conduct a site inspection at least once every thirty (30) calendar days.

In addition to the Trained Contractor and Qualified Inspector inspections, the Town of Cortlandville and the NYSDEC may conduct periodic inspections throughout construction.

The Trained Contractor, Qualified Inspector, the Town of Cortlandville and the NYSDEC shall notify the Contractor in writing of any corrective actions to be made. The Contractor or Subcontractor shall begin implementing the corrective actions within one business day of notification and shall complete the corrective actions in a reasonable timeframe.

6.6 Control of Construction Debris, Chemicals, and Litter

Management practices should be implemented by the Contractor(s) and subcontractors to reduce the risk of contaminated storm runoff. The Contractor should provide training regarding waste management practices and procedures to all onsite employees and subcontractors.

The Contractor should arrange for appropriate waste management services from a licensed solid waste management company. Trash disposal, proper material handling, and daily cleanup at the site will reduce the potential for contaminated stormwater runoff. All recyclable waste (cardboard, wood etc.) shall be collected and recycled. No construction waste materials will be buried on site.

Toilet facilities should be well-maintained with regular inspections, service, and disposal. Facilities should be located away from storm drain inlets and waterways.

The Contractor should establish material storage and staging areas with cover and containment as necessary. Material stockpile areas are to be coordinated with the Owner at the pre-construction meeting. Building materials such as paint, solvents, pesticides, fuels, and oils should be stored indoors or under cover when possible. Regular inspection of the storage containers is the responsibility of the Contractor.

Paint and concrete washout areas should be located appropriately, at least 50 yards from storm drains and watercourses, where possible. Washout areas should be inspected daily during use to detect leaks or tears. Materials from the washout area must be disposed of properly.

Equipment/vehicle fueling and maintenance should be performed off-site. For grading and excavating equipment, an on-site fueling and maintenance area should be clearly designated. The area should be equipped with a spill kit and a person knowledgeable in the use of the spill kit. Inspect vehicles and equipment daily for leaks, damage, and service problems. If problems are noted, remove the equipment from service and conduct significant maintenance/repair off-site.

Petroleum products will be stored in tightly sealed containers that are clearly labeled. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.

Equipment/vehicle washing and other allowable non-stormwater discharges should be controlled; if on-site washing is necessary, use a designated area with appropriate

containment. Eliminate discharge to the storm drain or waterways by infiltrating wash water or routing to the sanitary sewer.

Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer and as described in part IV.A. Once applied, fertilizer will be worked into the soil to limit exposure to stormwater. Storage will be in a covered shed. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

All containers will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewer system but will be properly disposed according to manufacturers' instructions or state and local regulations.

All hazardous waste materials will be disposed of in the manner specified by local or State regulation or by the manufacturer.

The Contractor shall provide a site-specific spill prevention and response plan which addresses the following:

- Reducing chance of spills
- Stopping the source of spills
- Containing and cleaning up spills
- Disposing of materials contaminated by spills
- Training personnel responsible for spill prevention/response
- Material handling procedures
- Material storage requirements

TABLE 4 - POTENTIAL CONSTRUCTION SITE POLLUTANTS

MATERIAL/ CHEMICAL	PHYSICAL DESCRIPTION	STORMWATER POLLUTANTS	LOCATION*
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Various colored to colorless liquid, powder, pellets, or grains	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic	Herbicides used for noxious weed control
Fertilizer	Liquid or solid grains	Nitrogen, phosphorous	Newly seeded areas
Cleaning solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No equipment cleaning allowed in project limits
Asphalt	Black solid	Oil, petroleum distillates	Streets and roofing
Concrete	White solid/grey liquid	Limestone, sand, pH, chromium	Curb and gutter, building construction

Curing compounds	Creamy white liquid	Naphtha	Curb and gutter
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil	Leaks or broken hoses from equipment
Gasoline	Colorless, pale brown or pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE	Secondary containment / staging area
Diesel Fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil & grease, naphthalene, xylenes	Secondary containment / staging area
Kerosene	Pale yellow liquid petroleum hydrocarbon	Coal oil, petroleum distillates	Secondary containment / staging area
Antifreeze/coolant	Clear green/yellow liquid	Ethylene glycol, propylene glycol, heavy metals (copper, lead, zinc)	Leaks or broken hoses from equipment
Sanitary toilets	Various colored liquid	Bacteria, parasites, and viruses	Staging area
Construction materials			
Granular fill	Various colored solids	Sediment	Stockpile / fill areas
Subbase course	Gray/brown solid	Sediment, dust	Stockpile
Topsoil	Brown solid	Sediment	Stockpile
Mulch	Various colored solid	Sediment, debris	Staging area
Seed	Brown/yellow solid	Nutrients, debris	Staging area
HDPE Storm Pipe	Black solid		Staging area
SDR-35, SDR-21 PVC Pipe	Various colored solid		Staging area
Metals Frames and Grates	Gray solid		Staging area
Joint Sealant	Light gray viscous solid	Polyurethane	Staging area

*(Area where material/chemical is used on-site)

The following are the management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances listed above to stormwater runoff:

- Products will be kept in original containers unless they are not resealable.
- Original labels and material safety data sheets will be retained; they contain important product information.
- An effort will be made to store only enough product required to do the job.
- All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure and/or on blacktop.
- Products will be kept in their original containers with the original manufacturer's label.
- Substances will not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, all of a product will be used up before disposing of the container.
- Manufacturer's recommendations for proper use and disposal will be followed.
- The site superintendent will inspect daily to ensure the proper use and disposal of materials onsite.
- Manufacturers' recommended methods for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
- Materials and equipment necessary for spill cleanup will be kept in the material storage area onsite. Equipment and materials will include but not be limited to brooms, dustpans, mops, rags, gloves, goggles, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for this purpose.
- All spills will be cleaned up immediately after discovery.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- Spills, of any size, of toxic or hazardous material will be reported to the appropriate State or local government agency.
- The spill prevention plan will be adjusted to include measures to prevent this type of spill from recurring and how to clean up the spill if there is another one. A description of the spill, what caused it, and the cleanup measures will also be included.

6.7 Non-stormwater Discharges

There are no anticipated non-stormwater discharges associated with this project that are not authorized by the SPDES General Permit, Part I.C.3, which includes:

1. Waters used to wash vehicles or equipment, *provided no detergents or chemical additive are used;*
2. Water used to control dust, *provided no chemical additives are used*;
3. Waters, *with no detergents or chemical additives*, used to wash pavements where spills or leaks of toxic or hazardous materials have <u>not</u> occurred (unless all spilled material has been removed), and where detergents are not used.

4. *Uncontaminated groundwater foundation drains, provided there is no chemical contamination, floating substances, residual oil, solids to cause deposition in receiving waters, or turbidity to cause a visual contrast to receiving water conditions.*

Waters from these sources shall also be directed through erosion control measures prior to discharge to any surface waters, storm sewer system, waterbody, or ditches.

SECTION 7: SOIL RESTORATION

According to Section 5 of the NYS Stormwater Design Manual, soil restoration practices must be applied across the site in areas of soil disturbance. Since no grading is being proposed for the solar arrays, soil restoration should be applied where staging areas have been set up. This is necessary to reclaim the original properties and porosity of the soil before construction. The benefits of soil restoration include but are not limited to:

- Less stormwater runoff
- Increased porosity on redevelopment sites where impervious cover is converted to pervious
- Achieves performance standards on runoff reduction practices
- Healthier, asthetically pleasing landscapes
- Enhances direct groundwater recharge
- Promotes successful long term revegetation by restoring soil organic matter, permeability, drainage and water holding capacity for healthy root system development of trees, shrubs and deep-rooted ground covers, minimizing lawn chemical requirements, plant drowning during wet periods, and burnout during dry periods

Table 5.13 on page 5-22 of the NYS Stormwater Design Manual has been included below that highlights these requirements and provides guidance on when to implement soil restoration techniques. Also included is the NYS Stormwater Design Manual section on Practice implementation, Maintenance and Inspection.

Table 5.3 Soil Restoration Requirements			
Type of Soil Disturbance	**Soil Restoration Requirement**		**Comments/Examples**
No soil disturbance	Restoration not permitted		Preservation of Natural Features
Minimal soil disturbance	Restoration not required		Clearing and grubbing
Areas where topsoil is stripped only - no change in grade	HSG A &B	HSG C&D	Protect area from any ongoing construction activities.
	apply 6 inches of topsoil	Aerate* and apply 6 inches of topsoil	
Areas of cut or fill	HSG A &B	HSG C & D	
	Aerate and apply 6 inches of topsoil	Apply full Soil Restoration **	
Heavy traffic areas on site (especially in a zone 5-25 feet around buildings but not within a 5 foot perimeter around foundation walls)	Apply full Soil Restoration (de-compaction and compost enhancement)		
Areas where Runoff Reduction and/or Infiltration practices are applied	Restoration not required, but may be applied to enhance the reduction specified for appropriate practices.		Keep construction equipment from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area
Redevelopment projects	Soil Restoration is required on redevelopment projects in areas where existing impervious area will be converted to pervious area.		

*Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler.
** Per "Deep Ripping and De-compaction, DEC 2008".

7.1 Soil Restoration Practice Implementation

During periods of relatively low to moderate subsoil moisture, the disturbed subsoils are returned to rough grade and the following Soil Restoration steps applied:

1. Apply 3 inches of compost over subsoil.
2. Till compost into subsoil to a depth of at least 12 inches using a cat-mounted ripper, tractor mounted disc, or tiller, mixing, and circulating air and compost into subsoils.
3. Rock-pick until uplifted stone/rock materials of 1/2 inches and larger size are cleaned off site.
4. Apply mechanically screened topsoil to a depth of 6 inches.
5. Vegetate as required by approved plan

Figure 5. 16 Soil aerator implement

Figure 5. 17 Soil aerator implement

Figures 5.16 and 5.17 above show two attachments used for soil decompaction. Tilling (step 2 above) should not be performed within the drip line of any existing trees or over utility installations that are within 24 inches of the surface.

7.2 Soil Restoration Inspection

At the end of the project an inspector should be able to push a 3/8" metal bar 12 inches into the soil just with body weight.

7.3 Compost Specifications

Compost shall be aged, from plant derived materials, free of viable weed seeds, have no visible free water or dust produced when handling, pass through a half inch screen and have a pH suitable to grow desired plants.

7.4 Soil Restoration Maintenance

Contractor to provide a site maintenance plan prior to construction for review. Maintenance plan should identify where Soil Restoration is applied, where newly restored areas are/cannot be cleared, and who the responsible parties are to ensure that routine vegetation improvements are made (i.e., thinning, invasive plant removal, etc.). Soil compost amendments within a filter strip or grass channel should be located in public right of way, or within a dedicated stormwater or drainage easement.

7.5 First Year Maintenance Operations

- Initial inspections for the first six months (once after each storm greater than half-inch)
- Reseeding to repair bare or eroding areas to assure grass stabilization
- Water once every three days for first month, and then provide a half inch of water per week during first year. Irrigation plan may be adjusted according to the rain event.
- Fertilization may be needed in the fall after the first growing season to increase plant vigor

7.6 Ongoing Maintenance

Two points help ensure lasting results of de-compaction:

1. Planting the appropriate ground cover with deep roots to maintain the soil structure
2. Keeping the site free of vehicular and foot traffic or other weight loads. Consider pedestrian footpaths. (Sometimes it may be necessary to de-thatch the turf every few years)

SECTION 8: RECORD KEEPING & CERTIFICATIONS

8.1 Notice of Intent (NOI)

The Notice of Intent (NOI) was prepared electronically on the NYSDEC website. A copy of the NOI is included in Appendix F of this report.

8.2 NOI Acknowledgement Letter

The NOI Acknowledgement Letter will be added to Appendix F upon receipt. Construction may not begin until the NOI Acknowledgement Letter has been received.

8.3 MS4 SWPPP Acceptance Form

The project is not subject to the requirements of a regulated traditional land use control MS4. The MS4 SWPPP Acceptance Form is not required.

8.4 Certifications

It shall be a violation of the SPDES General Permit and the ECL for any discharge authorized by the SPDES General Permit to either cause or contributes to a violation of the water quality standards as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York. (SPDES General Permit, Part I.B.)

The Owner or Operator must comply with all conditions of the SPDES General Permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any permit noncompliance constitutes a violation of the CWA and the ECL and is grounds for an enforcement action against the Owner or Operator or the contractor/subcontractor; permit revocation or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with the SPDES General Permit or the SWPPP, the NYSDEC may order an immediate stop to all construction activity at the site until the non-compliance is remedied. (SPDES General Permit, Part VII.A.)

The Owner and its contractors and subcontractors shall take all reasonable steps to minimize or prevent any discharge in violation of the SPDES General Permit which has a

reasonable likelihood of adversely affecting human health or the environment. (SPDES General Permit, Part VII.E.)

There are substantial criminal, civil, and administrative penalties associated with violating the provisions of the SPDES General Permit. Fines of up to $37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending on the nature and degree of the violation (SPDES General Permit, Part VII.C.).

1. Engineer Certification

   The undersigned agrees that this SWPPP has been prepared in accordance with Local, State, and Federal regulations. The undersigned understands that the owner intends to use this SWPPP to support his application for a New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Runoff from Construction Activity, GP-0-15-002.

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that false statements made herein are punishable as a class A misdemeanor pursuant to Section 210.45 of the Penal Law."

Prepared By: _____ Date: _____

Drazen Gasic
LaBella Associates, D.P.C.
300 State Street, Suite 201
Rochester, NY 14617
585-454-6110

2. Owner Certification

   I certify that I have read and understand the requirements outlined in this SWPPP report. I understand and agree to comply with the provisions stated herein. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I certify that I intend to employ a Contractor who will follow the recommendations of this SWPPP and any requirements set forth by the New York State SPDES General Permit for Stormwater Runoff from Construction Activity, GP-0-15-002.

Owner:

_____

Owner's Representative: _____Date: _____

Title:

_____

3. Contractor Certification

The following individuals certify under penalty of law that they understand and agree to comply with the terms and conditions of the SWPPP for the construction site identified in such SWPPP as a condition of authorization to discharge stormwater. They also understand that the operator must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System (SPDES) general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards.

Person responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP:

Name:

_____Title:_____

Signature:_____ Date: _____

Company:

_____

Address:

_____

E-Mail: _____ Phone No.:_____

Person responsible for constructing the post-construction stormwater management

practices:

Name:

_____Title:_____

Signature:_____ Date: _____

Company:

_____

Address:

_____

E-Mail: _____ Phone No.:_____

8.5 Contractor Stormwater Training Cards

A Trained Contractor from each Contractor's company and Subcontractor's company is responsible for implementation of the SWPPP. At least one Trained Contractor is required to be on site on a daily basis when soil disturbance activities are being performed.

The Trained Contractors for this project are as follows:

Name	Company	Phone No.	Stormwater Training Card No.
Name	Company	Phone No.	Stormwater Training Card No.
Name	Company	Phone No.	Stormwater Training Card No.

Photocopies of the Trained Contractor's Stormwater Training Cards will be added to Appendix F upon receipt.

8.6 Revisions to the SWPPP

The SWPPP is a "living" document and may be updated as the construction process proceeds. Any updates to the SWPPP should be noted and attached to this SWPPP in Appendix G. If any of the following substantive revisions to the SWPPP occur during construction, the NYSDEC must be made aware of the changes:

a. the scope of the project changes significantly, or
b. there is an increase in the disturbance area or impervious area

8.7 Corrective Action Log

The Corrective Action Log is located in Appendix G.

8.8 Notice of Termination

A blank Notice of Termination (NOT) is included in Appendix F. A project is eligible to terminate permit coverage by filing the Notice of Termination when one or more of the following criteria have been met:

1. The project is complete. The owner or operator may terminate coverage when all construction activity identified in the SWPPP has been completed; and all areas of disturbance have achieved final stabilization; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational.
2. The project has planned shutdown with partial project completion. The owner operator may terminate coverage when all soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved final stabilization; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;
3. A new owner or operator has obtained coverage in conformance with the general permit.

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

SWPPP FIGURES

Figure 1 – Location Map
Figure 2 – Existing Drainage Area Map
Figure 3 – Proposed Drainage Area Map

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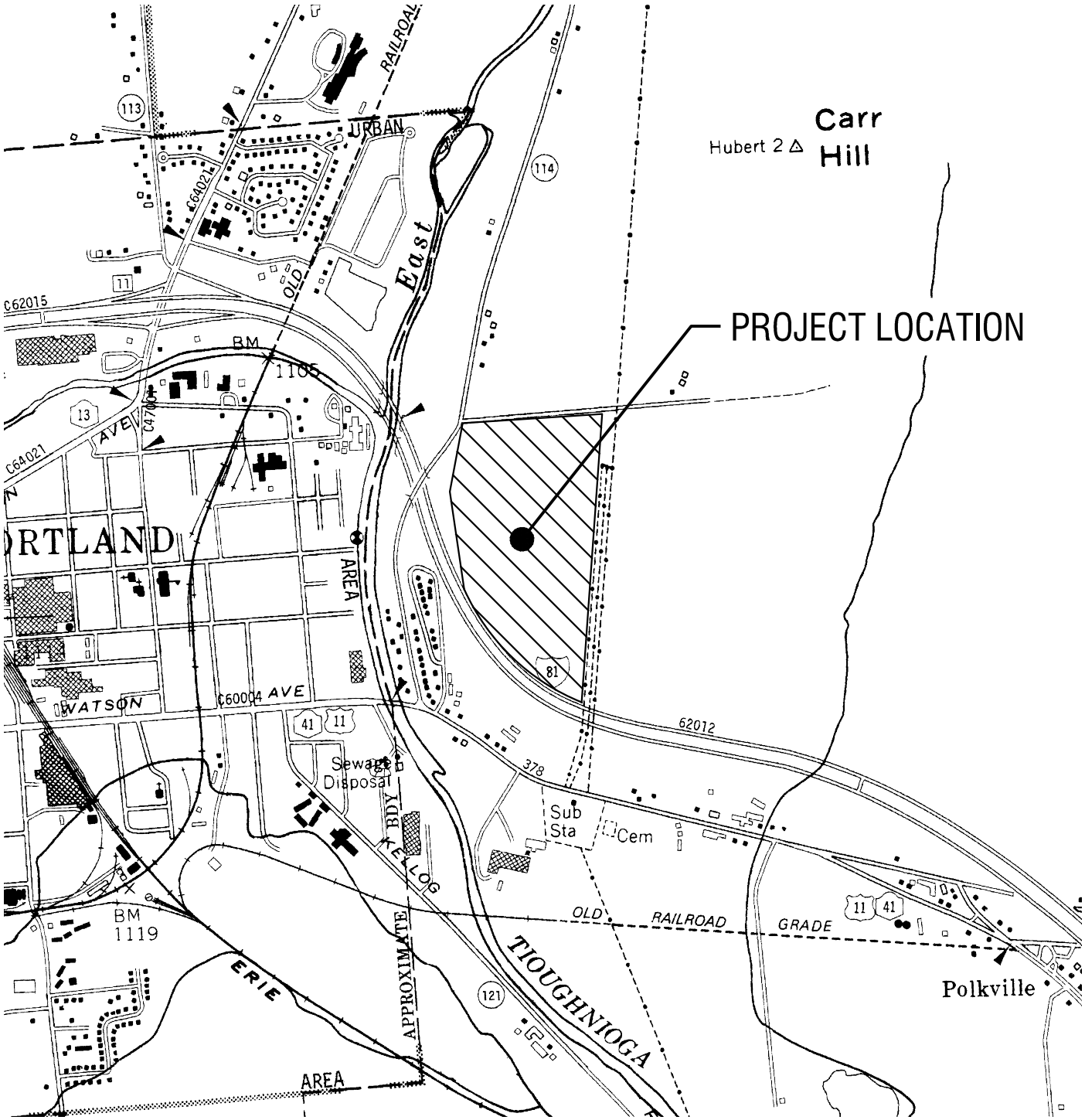

1
FIGURE 1

PROJECT LOCATION MAP

SCALE: N.T.S.

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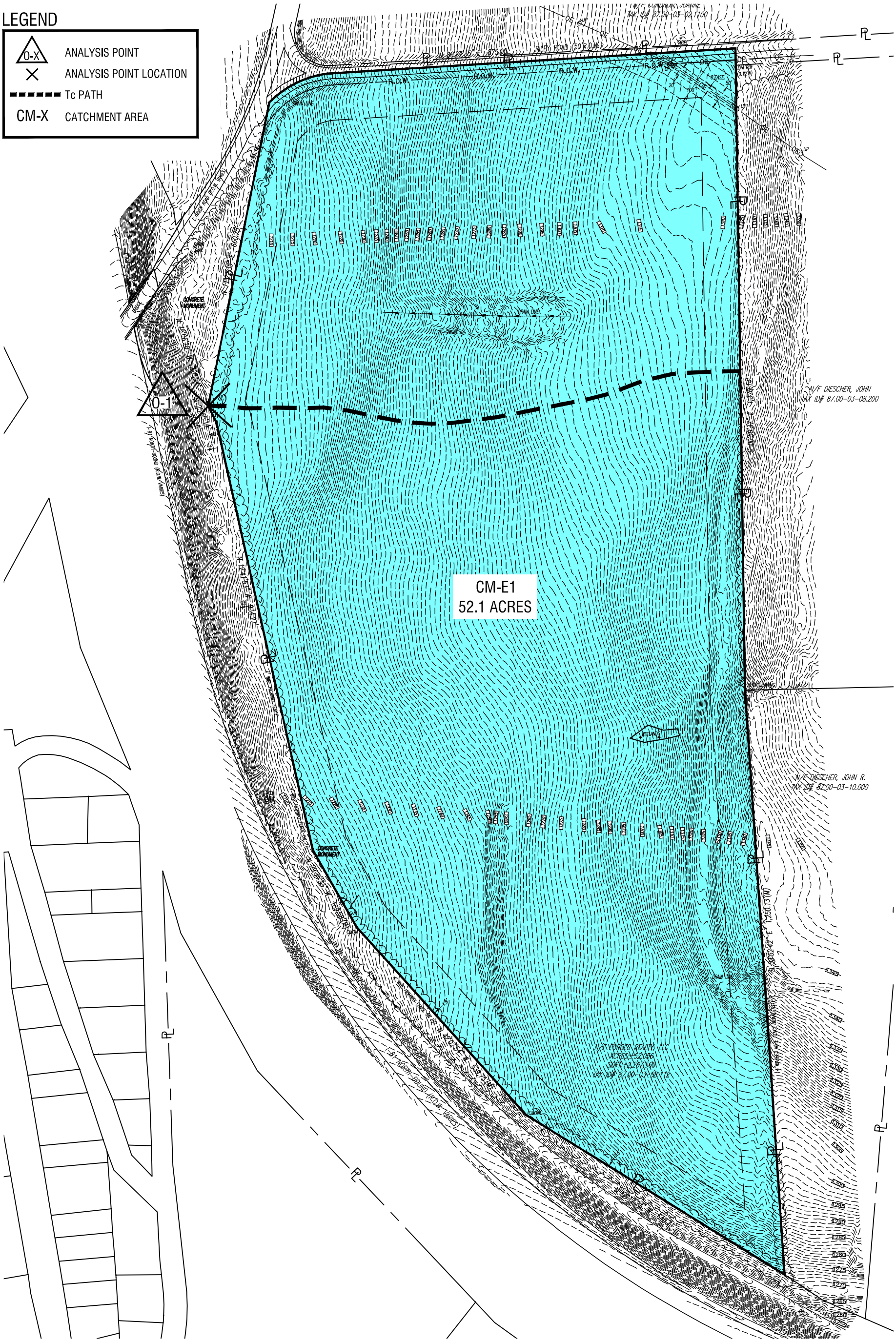
DRAWING NAME:	DRAWN BY:	DATE:	PROJECT NO:
PROJECT LOCATION MAP	MCP	11/13/2020	2201200.08

PROJECT NAME:	ISSUED FOR:	SHEET NO.
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	FIGURE 1

LEGEND

- 0-X — ANALYSIS POINT
- X — ANALYSIS POINT LOCATION
- Tc PATH
- CM-X — CATCHMENT AREA



N

SCALE: 1" = 200'

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DRAWING NAME: **EXISTING DRAINAGE AREA MAP**

DRAWN BY:	DATE:	PROJECT NO.:
MCP	12/10/2020	2201200.08

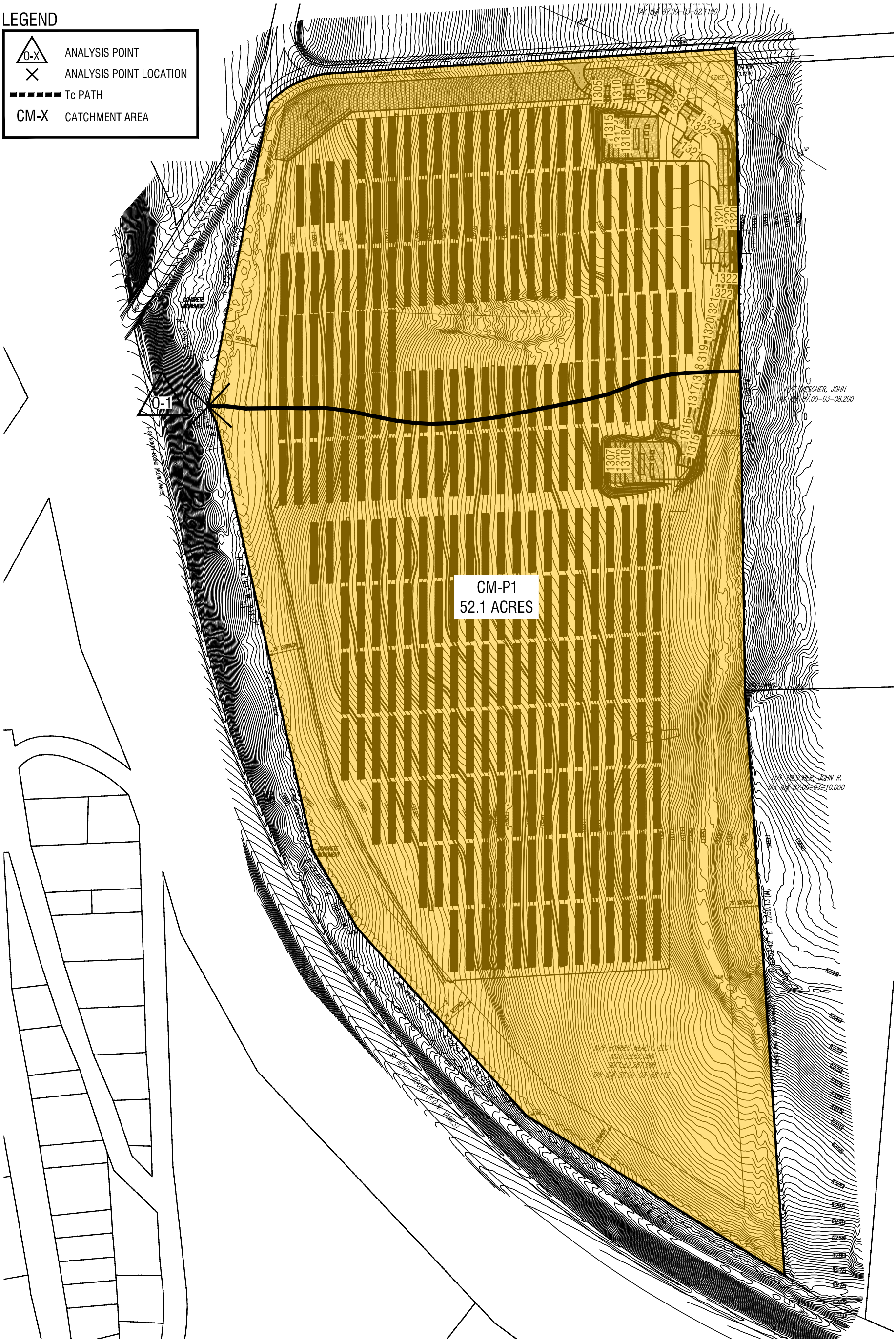
PROJECT NAME: **RILEY ROAD SOLAR ARRAY**
1902 RILEY ROAD CORTLANDVILLE, NY 13045

DRAWING NUMBER: **FIG. 02**

VERSION 19.0
11/13/2020 12:42:42 PM \\projects1\projectsAM\DG Project Const. Co\2201200.08 - NEER Riley Rd PV Design\Reports\SWPPP\Figures\02 - Existing Drainage Area Map\Existing Drainage Area.dwg

LEGEND

- 0-X — ANALYSIS POINT
- ANALYSIS POINT LOCATION
- Tc PATH
- CM-X — CATCHMENT AREA



N

SCALE: 1" = 300'

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DRAWING NAME: **PROPOSED DRAINAGE AREA MAP**

DRAWN BY:	DATE:	PROJECT NO.:
MCP	12/17/2020	2201200.08

PROJECT NAME: **RILEY ROAD SOLAR ARRAY**
1902 RILEY ROAD CORTLANDVILLE, NY 13045

DRAWING NUMBER: **FIG. 03**

VERSION 19.0
11/13/2020 2:36:14 PM \\projects1\projectsAM\DG Project Const. Co\2201200.08 - NEER Riley Rd PV Design\Reports\SWPPP\Figures\03 - Proposed Drainage Area Map\Proposed Drainage Area.dwg

APPENDIX A:
BACKGROUND INFORMATION

A-1 Watershed Map
A-2 NYDEC Stormwater Interactive Map
A-3 Soil Map
A-4 Environmental Resource Mapper
A-5 Federal Wetlands
A-6 FEMA Flood Insurance Rate Map (FIRM)
A-7 CRIS Map
A-7.1 SHPO No Impact Letter Dated 3/05/2020
A-8 USACE Determination of No Jurisdiction Letter Dated X/XX/2020

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Riley Road Solar Array

November 16, 2020

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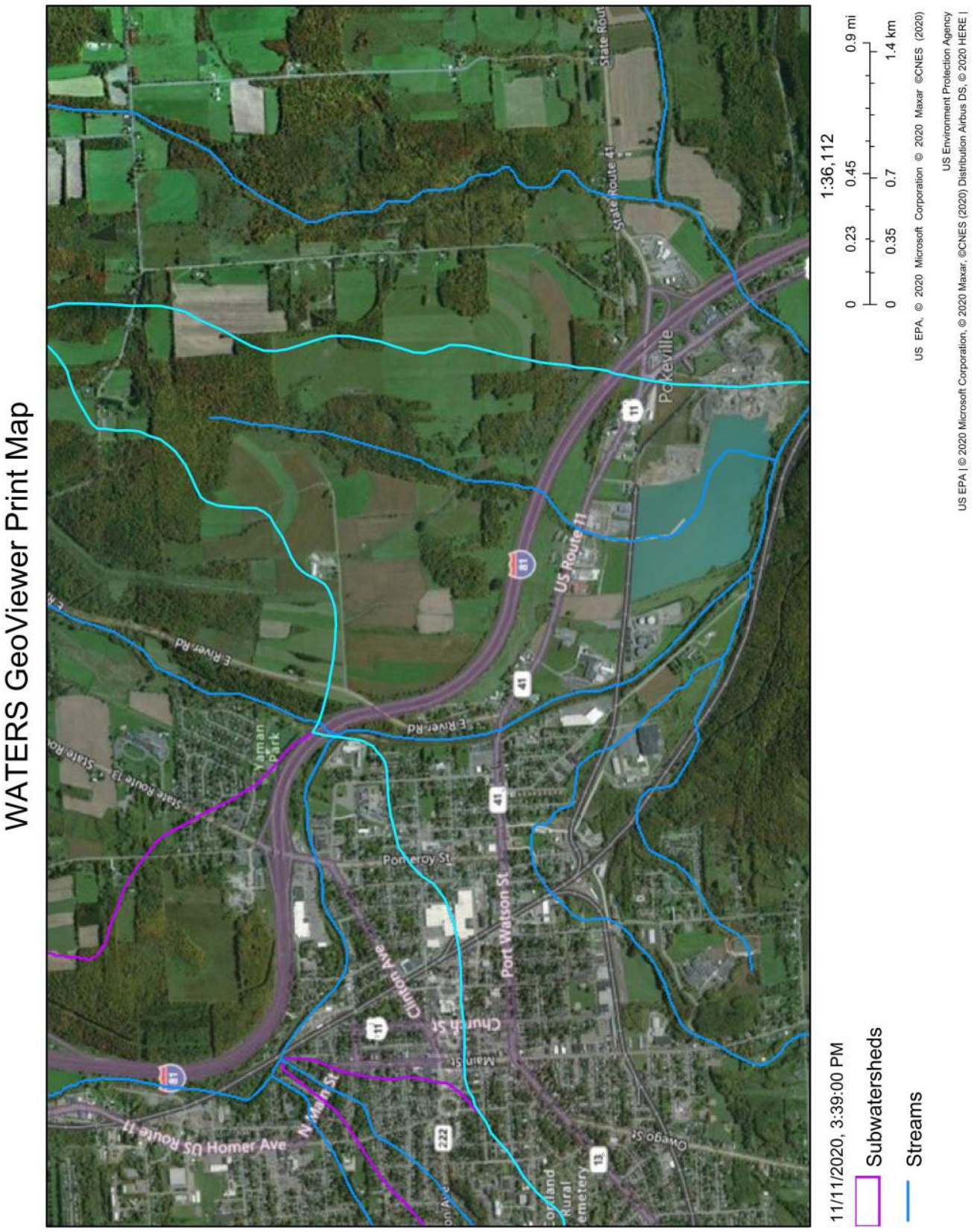
NYSDEC'S STORMWATER INTERACTIVE MAP	MCP	11/13/2020	2201200.08
PROJECT NAME:	ISSUED FOR:	SHEET NO.	
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	APPENDIX A-1	



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WATERSHED MAP	MCP	11/13/2020	2201200.08

PROJECT NAME:	ISSUED FOR:	SHEET NO.
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	APPENDIX A-2

Custom Soil Resource Report
Map—Hydrologic Soil Group

LaBella Powered by partnership 300 STATE STREET ROCHESTER, NY 14614 P: (585) 454-6110 F: (585) 454-3066 www.labellapc.com Engineering Architecture Environmental Planning	DRAWING NAME: **SOIL MAP**	DRAWN BY: MCP	DATE: 11/13/2020	PROJECT NO: 2201200.08
	PROJECT NAME: **RILEY ROAD SOLAR ARRAY** 1902 RILEY ROAD CORTLANDVILLE, NY 13045	ISSUED FOR: REPORT	SHEET NO.: APPENDIX A-3	

Table—K Factor, Whole Soil

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
62B	Mardin channery silt loam, 2 to 8 percent slopes	.24	20.6	36.3%
62C	Mardin channery silt loam, 8 to 15 percent slopes	.24	9.6	16.9%
134B	Bath channery silt loam, 3 to 8 percent slopes	.20	12.8	22.5%
134C	Bath channery silt loam, 8 to 15 percent slopes	.20	4.8	8.4%
134D	Bath channery silt loam, 15 to 25 percent slopes	.20	9.1	16.0%
Totals for Area of Interest			**56.8**	**100.0%**

Table—Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
62B	Mardin channery silt loam, 2 to 8 percent slopes	D	20.6	36.3%
62C	Mardin channery silt loam, 8 to 15 percent slopes	D	9.6	16.9%
134B	Bath channery silt loam, 3 to 8 percent slopes	C	12.8	22.5%
134C	Bath channery silt loam, 8 to 15 percent slopes	C	4.8	8.4%
134D	Bath channery silt loam, 15 to 25 percent slopes	C	9.1	16.0%
Totals for Area of Interest			**56.8**	**100.0%**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Environmental Resource Mapper

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DRAWING NAME:	DRAWN BY:	DATE:	PROJECT NO:
ENVIRONMENTAL RESOURCE MAPPER	MCP	11/13/2020	2201200.08

PROJECT NAME:	ISSUED FOR:	SHEET NO.
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	APPENDIX A-4

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U.S. Fish and Wildlife Service

National Wetlands Inventory

Riley Road Solar

November 11, 2020

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

PROJECT NAME: **RILEY ROAD SOLAR ARRAY**
1902 RILEY ROAD
CORTLANDVILLE, NY 13045

DRAWING NAME: **FEDERAL WETLANDS**

ISSUED FOR: REPORT

DRAWN BY: MCP

DATE: 11/13/2020

SHEET NO.: APPENDIX A-5

PROJECT NO: 2201200.08

National Flood Hazard Layer FIRMette

FEMA

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance
- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/16/2020 at 2:39 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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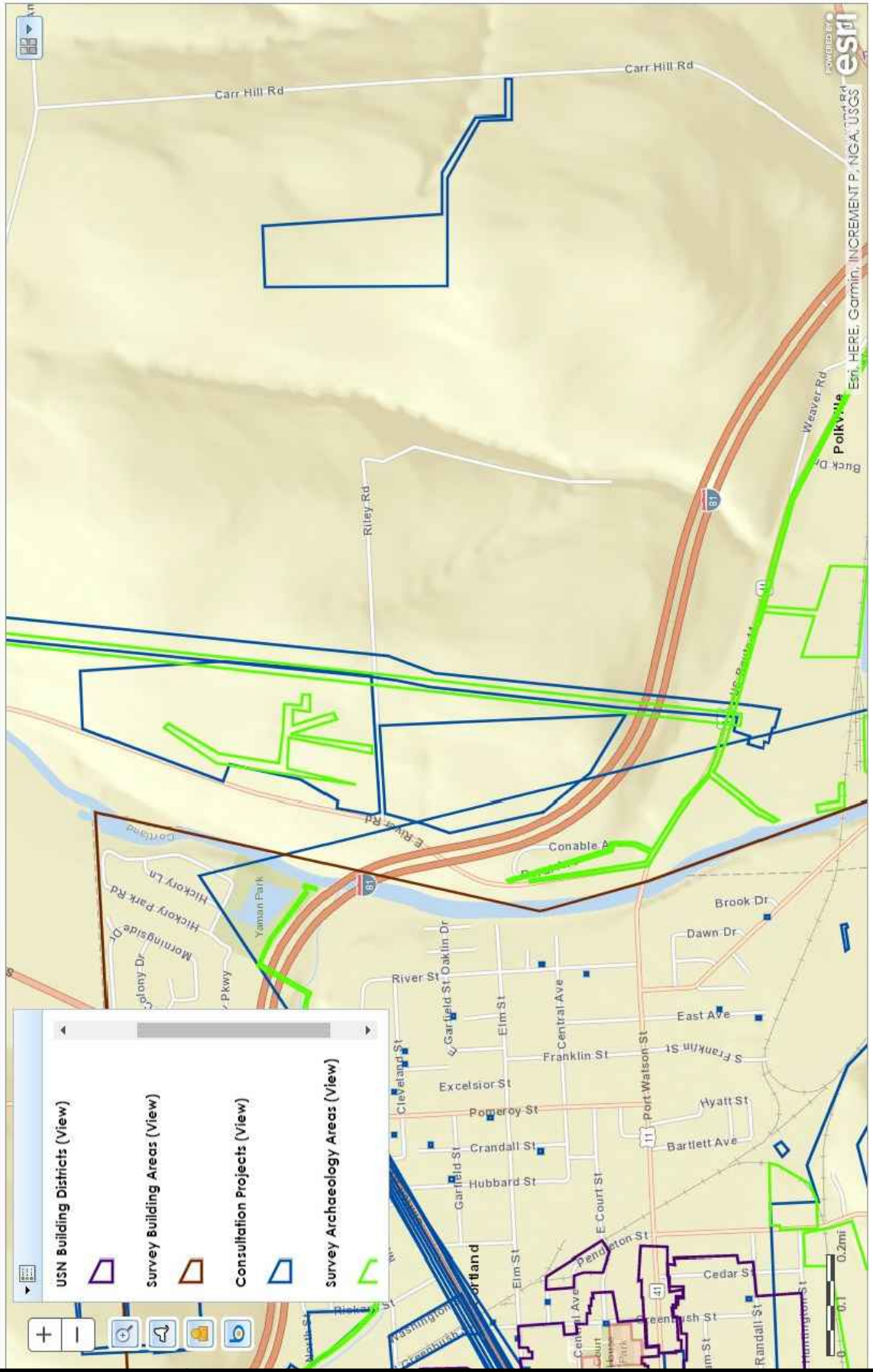
DRAWING NAME:	DRAWN BY:	DATE:	PROJECT NO:
FEMA FLOOD INSURANCE RATE MAP	MCP	11/13/2020	2201200.08
PROJECT NAME:	ISSUED FOR:	SHEET NO.	
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	APPENDIX A-6	



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DRAWING NAME:	DRAWN BY:	DATE:	PROJECT NO:
CRIS MAP	MCP	11/13/2020	2201200.08

PROJECT NAME:	ISSUED FOR.	SHEET NO.
RILEY ROAD SOLAR ARRAY 1902 RILEY ROAD CORTLANDVILLE, NY 13045	REPORT	APPENDIX A-7

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

March 05, 2020

Natasha Snyder
Environmental Specialist/Archaeologist
NextEra Energy Resources, LLC
700 Universe Boulevard JES/JB
Juno Beach, FL 33408

Re: DEC
Ridgeway DG Solar and Energy Storage Project (3.19 megawatt (MW) [AC]/3.97 MW direct current [DC]/15 Acres)
Swett Road , Town of Ridgeway, Orleans County, NY
20PR01482

Dear Natasha Snyder:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation
Division for Historic Preservation

APPENDIX B:
GEOTECHNICAL REPORT

Geotechnical Report

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Kenney Geotechnical Services

Kenney Geotechnical Engineering Services PLLC

Geotechnical Evaluation Report

Riley Road 5 MW Solar Farm
WBS-9396
NextEra Energy
1902 Riley Road
Cortland, New York

Christopher M. Kenney, P.E.
11-23-2020

CONTENTS

INTRODUCTION

This report presents the results of the geotechnical investigation performed for the proposed Riley Road Solar Farm. This geotechnical report presents the data developed during the subsurface investigation and provides analysis and recommendations for the proposed construction.

No environmental services are included in this study. No conclusions have been drawn regarding environmental conditions of the site, potential contaminants, potential special treatment or disposal of site materials, or other environmental considerations.

AUTHORIZATION

The scope of our services for this project was presented in a proposal dated September 29, 2020. Our services were authorized by Esther Atkinson project manager of NextEra Energy per an executed AWS (WBS: D-9396).

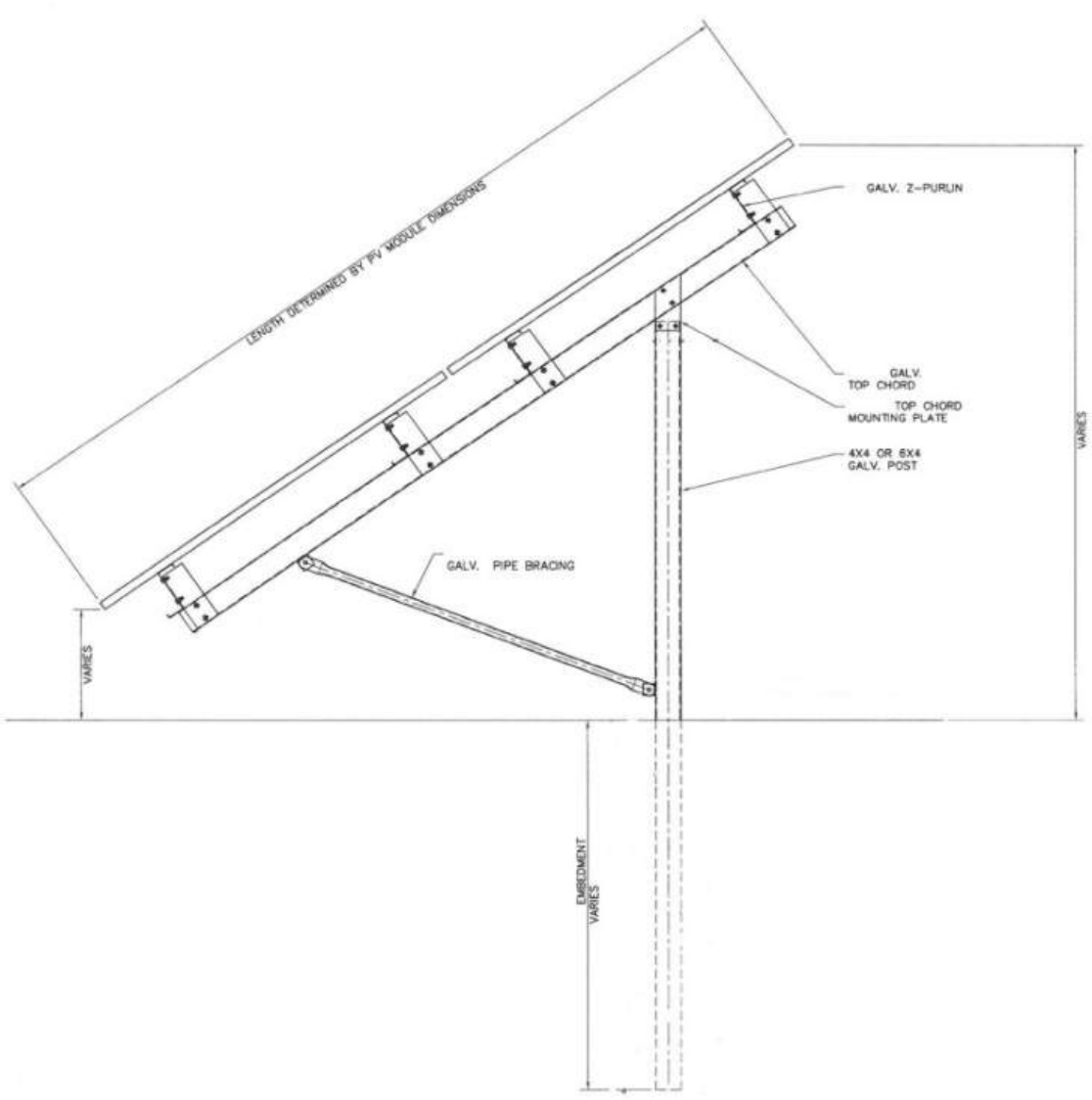
PROJECT DESCRIPTION

It is our understanding that the proposed project will consist of the construction of a 5 MW ground mounted solar farm. We understand that project will include access roads and an inverter pad.

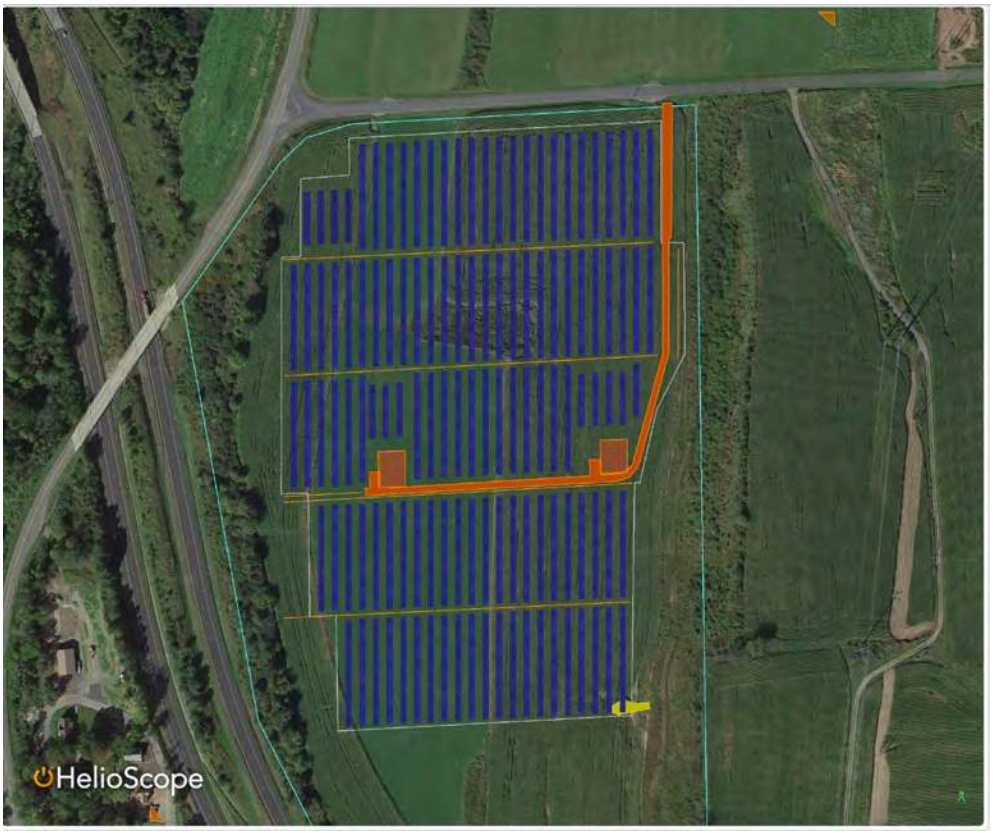
DESIGN CRITERIA

The following typical solar panel schematic and design loads were provided by Nextera:

- Axial compression: 10 kips max, 4 kips target, 0.5 inch max. deflection
- Axial tension: 7 kips max, 4 kips target, 0.5 inch max. deflection
- Lateral: 7 kips max, 3 kips target, 0.75 inch max. deflection



NextEra provided the following site plan for our use:



Local geotechnical practices were followed during the performance of this study. Maximum frost depth was assumed to be 48 inches. A tolerable settlement of one inch was also assumed to facilitate our analysis.

SITE CONDITIONS

The project site is located on a hilltop south of Riley Road as illustrated in the boring location plan (Figure 1). At the time of the subsurface investigation the site was cleared agricultural land. The site is crowned and dips to the south.

This region lies within the Alleghany Plateau physiographic province. Major topographic and geologic features in this area were formed during the last glacial advance and retreat, which ended approximately 12,000 years ago. Regional surficial geologic mapping suggests that soils in the site vicinity generally consist of till and kame deposits. Bedrock mapping suggests that shale and siltstone underlie soil in the area.

FIELD STUDY

The subsurface investigation for this project consisted of five borings (B-1 to B-5 respectively) advanced to a maximum depth of 16 feet below ground surface and one Wenner Four-Electrode Electrical Resistivity Test. The test borings were performed on October 30th, 2020 using a track-mounted Geoprobe 7822DT drill rig. Hollow stem augering techniques were utilized to advance the borings. Standard penetration testing (ASTM D1586) was performed with an automatic hammer to obtain soil samples. The planned exploration depth was 16 feet. Test borings B-1, B-2, B-4 and B-5 encountered practical refusal prior to 16 feet. Practical refusal is considered to occur when augers cannot be advanced or consecutive standard penetration test "N" values exceed 50 blows per foot. Boring locations were selected and field-located by Kenney Geotechnical Engineering Services personnel.

Soil samples obtained during the subsurface investigation were classified by a Geotechnical Engineer using the Unified Soil Classification System. Boring logs documenting the subsurface conditions encountered are attached. The boring logs and related information depict subsurface conditions only at the specific locations and times indicated. Subsurface conditions and water levels at other locations may differ from conditions at the locations where sampling was conducted. The passage of time also may result in changes in the conditions interpreted to exist at the locations where sampling was performed.

ELECTRICAL RESISTIVITY

Field electrical resistivity was performed using the Wenner Four-Electrode Electrical Resistivity Method (ASTM G57). Spacing between the electrodes was 0.5, 1.0, 2.0, 3.0, 5.0, 7.5, 10, 15, 20 and 25 feet. Survey lines were oriented in a north-south and east-west direction. Results for field resistivity testing are attached.

LABORATORY TESTING

Laboratory testing performed for this project included Particle Size Analysis (ASTM D-422), Atterberg Limits (ASTM D-4318), Moisture Content Determination (ASTM D 2216), Corrosivity (AWWA C105/A21.5-99), Wenner Four-Electrode Electrical Resistivity (ASTM G57), and Thermal Resistivity (ASTM D5334). Testing was performed in Kenney Geotechnical Services laboratory. Test results are attached to this report and are summarized below.

SUBSURFACE CONDITIONS ENCOUNTERED

The following table summarizes our interpretation of subsurface conditions is based on our review of the recovered samples, the boring logs, drilling observations, and our professional experience.

1

Stratum	From	To	USCS Classifications	"N" Values (Uncorrected)			Condition	Plasticity	Interpretation
	Feet BGS	Feet BGS		Low	High	Average			
A	0	1.0	Topsoil	-	-	-	-	NA	Topsoil
B	1	4	MLS	4	17	6	Loose	Non plastic	Sandy Silt with gravel
C	4.0	Refusal	MLS, SM	35	100	59	Very Dense	Non-plastic	Glacial Till with cobbles and boulders
D	6.6 and lower		Shale and Siltstone	100	100	100	Fresh	NA	Ithaca Formation: Shale and Siltstone

In general the subsurface conditions encountered consisted of sandy silt with gravel, overlying hard glacial till and/or bedrock consisting of shale and siltstone. Cobbles and boulders were prevalent in the glacial till above bedrock.

The approximate refusal elevations occurring during drilling are summarized in the table below. Practical refusal is considered to occur when augers cannot be advanced or consecutive standard penetration test "N" values exceed 50 blows per foot:

Boring Location	Approx. Surface Elevation	Refusal Depth (feet)	Approx. Refusal Elevation
B-1	1244.6	8.9	1235.7
B-2	1305.6	7.1	1298.5
B-4	1245.2	6.6	1238.6
B-5	1262.8	10.3	1252.5

GROUNDWATER CONDITIONS ENCOUNTERED

Water levels were measured within the augers during advancement and from the open borehole after the augers were removed. Water measurements obtained at the time of the subsurface investigation are summarized in the following table:

Boring	Depth to Water While Drilling (ft)	Depth to Water Within the Augers at completion (ft)	Depth to Water in Open Borehole (ft)
B-1	Dry	Dry	Dry
B-2	Dry	Dry	Dry
B-3	Dry	Dry	Dry
B-4	Dry	Dry	Dry
B-5	Dry	Dry	Dry

Groundwater depths and seepage rates will vary with the seasons and changes in precipitation patterns and may be higher during the wetter seasons. No long term groundwater data was generated during this study and the range of possible groundwater elevation is unknown.

RECOMMENDATIONS AND CONCLUSIONS

A. Geotechnical Analysis

Typically solar arrays are supported on either driven or drilled W 6 x 9 piles. The subsurface conditions encountered generally consisted glacial deposits of silty or clayey sand with gravel and cobbles overlying glacial till and weathered siltstone bedrock.

The following table presents estimated geotechnical design parameters for driven pile foundations installed at the site.

Depth (feet)	Unit Weight pcf	Internal Friction Angle	ε_{50}	Soil-Modulus (k) pci	Ultimate Unit Skin Friction psf	Ultimate Unit Tip Resistance psf
0'-1'	110	N/A	N/A	N/A	N/A	N/A
1'-4'	125	32	N/A	70	220	N/A
4'-12'	135	36	N/A	160	1340	25000
12' +	140	40	N/A	275	2500	50000

The following table presents estimated geotechnical parameters for drilled pile foundations installed at the site:

Depth (feet)	Unit Weight pcf	Internal Friction Angle	ε_{50}	Soil-Modulus (k) pci	Ultimate Unit Skin Friction psf	Ultimate Unit Tip Resistance psf
0'-1'	110	N/A	N/A	N/A	N/A	N/A
1'-4'	125	32	N/A	70	850	N/A
4'-12'	135	36	N/A	160	1340	25000
12' +	140	40	N/A	275	2500	50000

We recommend foundations are load tested. If load testing is performed a factor of safety of 2 may be utilized to determine allowable values. Otherwise a factor of safety of 3 is recommended.

B. ESS Enclosure

We understand that the ESS enclosure will weigh 200,000 pounds and will have a 12' x 42' footprint. Based on the subsurface conditions encountered a shallow foundation system may be utilized for the proposed structure. Design frost depth in the area is 48 inches. We recommend that an allowable bearing capacity of 3000 pounds per square foot be utilized for a continuous perimeter foundation bearing below frost depth on medium dense sand and gravel. Foundation bearing grade should be reviewed by geotechnical personnel for the possible presence of unsuitable soil. Any organic-laden, frozen, saturated or disturbed soil must be removed from below foundation bearing grade prior to placement of concrete and replaced with approved well-graded structural aggregate. The foundation excavation must be maintained in a dry dewatered state during construction, and foundation bearing grade must not be allowed to saturate or freeze.

C. Transformer/Inverter Pad

We understand the transformer/inverter pad will have a footprint of approximately 45,600 pounds and a footprint of 26' x 9'. Based upon the subsurface investigation data we suggest the slab is design using a subgrade modulus of 250 pci. The slab subgrade should be proof-rolled under the observation of geotechnical personnel. Any organic or soft soil must be removed from beneath the pad. Perimeter insulation should be provided for frost protection. A minimum of 9 inches of uniformly graded free-draining aggregate should be placed below the slab. A nonwoven geotextile should be placed between the proof-rolled subgrade and the free-draining aggregate.

D. Temporary Excavation Support

The design of temporary excavation support and underpinning elements is beyond the scope of this report. Design of subsurface walls subjected to lateral earth pressure must consider the type of wall, degree of restraint against wall rotation, and other factors. Any water pressure or surcharges from equipment, material stockpiles, or adjacent structures must be added to the suggested lateral pressure. The following lateral earth pressure parameters are suggested for this site:

- Ka = 0.33
- Kp = 3.00
- Ko =0.50

It is recommended that drainage is provided for all walls to reduce hydrostatic wall loading and possible frost action. Backfill against any walls should consist of a relatively well-graded free-draining granular material having no more than 10% passing the No. 200 sieve. The granular backfill zone behind walls should be at least one foot wide as measured horizontally from the face of the wall. Backfill against walls should be placed in loose lifts no greater than 6 inches in thickness. A nonwoven geotextile filter should be placed between the granular backfill and insitu soil to prevent the migration of fine grained soil.

Temporary excavation slopes must be evaluated by the Contractor's on-site Responsible Person. We anticipate on-site silty sand and gravel will be classified as Type C. Type C materials must be graded to slopes no greater than 1.5:1 (horizontal to vertical) unless shoring is utilized. The Contractor's on-site Responsible Person should periodically review excavations for signs of movement or distress. Excavation sidewalls should be periodically raked to remove loose particles.

E. Access Roads, Slopes and Earthwork

The glacial soils encountered contain significant percentages of silt and clay, may be saturated during wetter periods, and will be subjected to freeze-thaw cycles during the winter months. The design of unpaved access roads for this project will require careful consideration of these factors. The glacial till loses strength rapidly if saturated and when subjected to dynamic loading such as that imparted by construction equipment. Freeze-thaw action will significantly deteriorate access road subgrades composed of glacial till. Construction access roads will deteriorate rapidly without a gravel base and geosynthetic reinforcement. Proper drainage of roads and excavations will be essential to maintaining their stability.

The glacial soils have generally acceptable engineering properties for the proposed construction. However, moisture control of soils will be critical during earthwork for this project. Glacial soils that are exposed to the elements will saturate and lose strength rapidly. Cut slopes in glacial soils will lose strength over time. Cut or fill slopes using the glacial till should be designed for a final grade no greater than 3H:1V (33%) unless geosynthetic reinforcement is utilized. Geosynthetic-reinforced embankments created with site soils with slopes 1.5H:1V can feasibly be created. A generic slope stability analysis illustrating this is attached for reference. Detailed design of geosynthetic-reinforced slopes must be performed on a case-by-case basis during final design.

We anticipate that temporary excavations to the bedrock surface can be open cut. Excavation at the site will require large hydraulic excavators with rock teeth. Large hoe rams may be necessary to remove boulders and rock slabs. Smaller excavations in bedrock could require blasting.

Temporary excavation slopes (excavated and backfilled in one working day) must be evaluated by the Contractor's on-site Responsible Person. We anticipate soil above the groundwater table will be classified as Type C. Type C materials must be graded to slopes no greater than 1.5:1 (horizontal to vertical). The Contractors on-site Responsible Person should periodically review excavations for signs of movement or distress. Excavation sidewalls should be periodically raked to remove loose particles.

Earthwork must be performed using methods that will result in a stable excavations and fills. Typical temporary earthwork measures such as temporary drainage swales, stabilized haul roads, and the use of protective layers of crushed stone can be employed at this site. It is recommended that earthwork is observed by geotechnical personnel to ensure that all organic material is removed from beneath structures and roadways. Additional recommendations are as follows:

- Strip existing topsoil, pavement, roots and organics from all areas that will receive new construction to establish subgrade.
- Proof-roll exposed access road subgrade with a fully loaded dump truck, or accepted alternative equipment, under the observation of geotechnical personnel. Areas that rut, weave, or deflect should be over-excavated and replaced with compacted structural fill (see below for structural fill characteristic requirements).

- Utilize structural fill to raise site grades to the desired elevation. Structural fill should consist of imported granular material conforming to NYSDOT Subbase Course (2" minus), NYSDOT Item 4 or 304.12 aggregate, or approved equal.
- Field moisture contents for structural fill should be maintained within 2 percentage points of the optimum moisture content established by laboratory testing to provide adequate compaction. All fill should be placed in level lifts having a loose thickness no greater than 12 inches and should be compacted with vibratory rollers to at least the following minimum percentages of the Modified Proctor (ASTM D-1557) maximum dry density:

    - Below foundations: 95%
    - Beneath slab-on-grade or access roads: 95%
    - Utility trench backfill: 95%
    - Beneath landscape areas: 90%
    - Beneath sidewalks and exterior slabs: 95%

    Bulk samples of proposed structural fill materials should be delivered to our testing laboratory at least two weeks prior to the initiation of earthwork. In-place density testing should be performed at a frequency of one test per 500 square feet per lift in open areas and one test per 25 feet per lift in trenches.
- If the structure is to be constructed during the winter months, adequate frost cover and protection must be provided. Earthwork cannot be performed with frozen material.
- Permanent slopes should be graded no steeper than 3 horizontal: 1 vertical.
- In utility trenches, or other confined areas, small compaction equipment may be necessary such as a vibratory plate, jumping jack or walk-behind vibratory roller. In-place density testing should be performed at a frequency of one test per 25 feet per lift in trenches. Utility trench fill should be placed in level lifts no greater than 8 inches in thickness and should be compacted to at least 95%the Modified Proctor (ASTM D-1557) maximum dry density. Structural fill should consist of imported granular material such as NYSDOT Subbase (2" minus) or approved equal. Adequate frost cover and protection must be provided during winter weather construction. Earthwork cannot be performed with frozen material.

D. Groundwater Seepage and Management

Groundwater was not encountered during drilling. Site soils have low vertical in-situ permeability and a bathtub effect may occur around structures placed and backfilled within the glacial till. Also, perched water conditions may exist during wetter periods. We anticipate that temporary dewatering measures, such as sump and pump methods will be adequate to control groundwater and allow construction to proceed "in the dry".

Stormwater diversion swales should also be utilized near the perimeter of the high end of the site to manage flow from up-gradient areas. Surface water must be diverted from the construction area. Ponding water should not be permitted above slopes or on earth surfaces that will support foundations, compacted fill, or earth retention structures. All fill surfaces should be sloped or crowned to prevent water ponding and sealed with a smooth-drum roller at the end of each shift to reduce infiltration. Smooth rolled surfaces must be scarified before placing subsequent lifts of fill.

Storm events and other factors can affect groundwater and seepage during construction. All dewatering discharge should be transported to a temporary dewatering basin constructed consistent with NYDEC construction stormwater and/or dewatering treatment Best Management Practices (BMPs).

F. Seismic Hazard Concerns, Liquefaction, Seismicity, and Faulting

The subsurface conditions encountered and "N" values recorded during the subsurface investigation suggest that seismic **Site Class D** is appropriate for this site**.** The estimated design spectral response acceleration parameters are $\mathbf{S_{DS}}$ **= 0.139g** and $\mathbf{S_{D1}}$ **= 0.094g.** Liquefaction, surface rupture from faulting or lateral spreading is estimated to have a low probability of occurrence given the soil conditions encountered and typical regional seismicity.

LIMITATIONS

The recommendations presented in this report are predicated on the performance of construction observation and testing by qualified geotechnical personnel. We request continued involvement with this project so that we may assess subsurface conditions exposed during construction to determine if modifications to our recommendations are necessary.

REFERENCES

"Surficial Geologic Map of New York – Finger Lakes Sheet", New York State Museum, 1986.

"Bedrock Map of New York – Finger Lakes Sheet", New York State Museum, 1970.

FIGURES

Figure 1 – Boring Location Map
Figure 2 – Boring Legend
Figure 3 – Boring Log Key
Figure 4 – Boring Logs

Project: Riley Road Solar Farm
Project Location: Cortland, NY
Project Number: 2020-178

Key to Soil Symbols and Terms

TERMS DESCRIBING CONSISTENCY OR CONDITION

COARSE-GRAINED SOILS (major portions retained on No. 200 sieve): includes (1) clean gravel and sands and (2) silty or clayey gravels and sands. Condition is rated according to relative density as determined by laboratory tests or standard penetration resistance tests.

Descriptive Terms	Relative Density	SPT Blow Count
Very loose	0 to 15 %	< 4
Loose	15 to 35 %	4 to 10
Medium dense	35 to 65 %	10 to 30
Dense	65 to 85 %	30 to 50
Very dense	85 to 100 %	> 50

FINE-GRAINED SOILS (major portions passing on No. 200 sieve): includes (1) inorganic and organic silts and clays, (2) gravelly, sandy, or silty clays, and (3) clayey silts. Consistency is rated according to shearing strength, as indicated by penetrometer readings, SPT blow count, or unconfined compression tests.

Descriptive Terms	Unconfined Compressive Strength kPa	SPT Blow Count
Very soft	< 25	< 2
Soft	25 to 50	2 to 4
Medium stiff	50 to 100	4 to 8
Stiff	100 to 200	8 to 15
Very stiff	200 to 400	15 to 30
Hard	> 400	> 30

GENERAL NOTES

1. Classifications are based on the United Soil Classification System and include consistency, moisture, and color. Field descriptions have been modified to reflect results of laboratory tests where deemed appropriate.

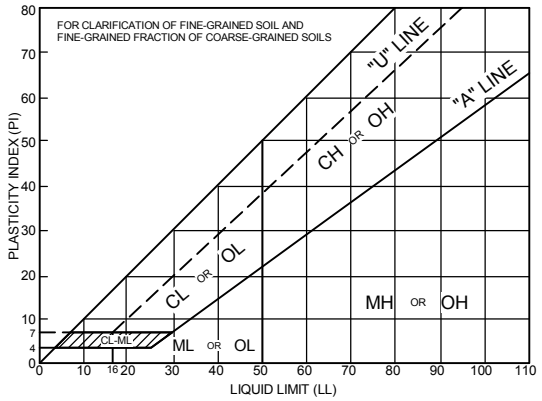
2. Surface elevations are based on topographic maps and estimated locations.

3. Descriptions on these boring logs apply only at the specific boring locations and at the time the borings were made. They are not guaranteed to be representative of subsurface conditions at other locations or times.

Major Divisions			Group Symbols	Typical Names	Laboratory Classification Criteria
Coarse-Grained soils (More than half the material is larger than No. 200 sieve size)	Gravels (More than half of coarse fraction is larger than No. 4 sieve size)	Clean gravel (Little or no fines)	GW	Well-graded gravels, gravel-sand mixtures, little or no fines	Determine percentages of sand and gravel from grain size curve, Depending on percentage of fines (fraction smaller than No. 200 sieve) coarse-grained soils are classified as follows: Less than 5 percent..... GW, GP, SW, SP; More than 12 percent..... GM, GC, SM, SC; 6 to 12 percent..... Borderline case4s requiring dual symbols**
			GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines	
		Gravel with fines (Appreciable amount of fines)	GM* d / u	Silty gravels, gravel-sand-silt mixtures	
			GC	Clayey gravels, gravel-sand-silt mixtures	
	Sands (More than half of coarse fraction is smaller than No. 4 sieve size)	Clean sands (Little or no fines)	SW	Well-graded sands, gravelly sands, little or no fines	
			SP	Poorly-graded sands, gravelly sands, little or no fines	
		Sands with fines (Appreciable amount of fines)	SM* d / u	Silty sands, sand-silt mixtures	
			SC	Clayey sands, sand-clay mixtures	
Fine-Grained soils (More than half the material is smaller than No. 200 sieve size)	Silts and Clays (Liquid limit less than 60)		ML	Inorganic silts and very fine sands, rock floor, silty or clayey fine sands or clayey silts with slight plasticity	
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays	
			OL	Organic silts and organic silty clays of low plasticity	
	Silts and Clays (Liquid limit greater than 60)		MH	Inorganic silts, micaceous or disto-maceous fine sandy or silty soils, organic silts	
			CH	Inorganic clays of high plasticity, fat clays	
			OH	Organic clays of medium to high plasticity, organic silts	
	Highly Organic Soils		Pt	Peat and other highly organic soils	

Laboratory Classification Criteria:

- $C_U = \frac{D_{60}}{D_{10}}$ greater than 4; $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3
- Not meeting all gradation requirements for GW
- Atterberg limits below "A" line or P.I. less than 4 / Atterberg limits above "A" line or P.I. greater than 7 — Above "A" line with P.I. between 4 and 7 are borderline cases requiring use of dual symbols
- $C_U = \frac{D_{60}}{D_{10}}$ greater than 6; $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ between 1 and 3
- Not meeting all gradation requirements for SW
- Atterberg limits below "A" line or P.I. less than 4 / Atterberg limits above "A" line or P.I. greater than 7 — Above "A" line with P.I. between 4 and 7 are borderline cases requiring use of dual symbols



Plasticity Chart

Particle Size	Material	Sieve sizes	mm
Material	Silt or clay	< #200	< 0.074
	Sand		0.074 to 0.42
	Fine	#200 to #40	
	Medium	#40 to #10	0.42 to 2.00
	Coarse	#10 to #4	2.00 to 4.76

Particle Size	Material	Sieve	mm
Material	Gravel	#4 to 3/4 in.	4.76 to 19.1
	Fine	3/4 in. to 3 in.	19.1 to 76.2
	Coarse	3 in. to 12 in.	76.2 to 304.8
	Cobble	12 in. to 36 in.	304.8 to 914.4
	Boulders		

* Division of GM and SM groups into subdivisions of d and u are for roads and airfields only. Subdivision is based on Atterberg Limits: suffix d used when L.L. is 23 or less and the P.I. is 6 or less; the suffix is used when L.L. is greater than 26.

** Borderline classifications used for soils possessing characteristics of two groups are designated by combinations of groups symbols. For example; GW-GC, well-graded gravel-sand mixture with clay binder.

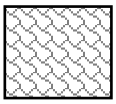
Kenney Geotechnical Services

Key to Symbols

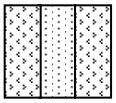
Project Name:	RILEY ROAD SOLAR FARM
Client:	NEXTERA ENERGY

Project Number:	2020-179
Location:	CORTLAND, NY

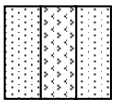
LITHOLOGIC SYMBOLS
(UNIFIED SOIL CLASSIFICATION SYSTEM)



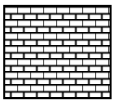
BOILDER/COBBLES



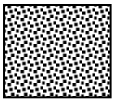
MLS: SANDY SILT



SM: SILTY SAND



SILTSTONE



TILL: GLACIAL TILL


Riley Road Solar Farm
Boring Location Plan
Legend
Borings
Riley Rd
B-1
B-2
B-3
B-4
B-5
114
E River Rd
Peaceful Dr
Rural Ave
Conable Ave
81
Google Earth
© 2020 Google
N
1000 ft

Kenney Geotechnical Services

Geotechnical Boring Log

Project Name:	RILEY ROAD SOLAR FARM	**Project Number:**	2020-178	**Logged By:**	R.S	**Boring Number**	B-1
Client:	NEXTERA ENERGY	**Ground Elevation:**	1244.6 FT	**Checked By:**	CMK	**Sheet:**	1 of 1
Location:	CORTLAND, NY	**Drill Rig:**	7822 DT	**Depth To Groundwater While Drilling:**			DRY
Started:	10/30/2020	**Drill Method:**	3.25 HSA	**Depth To Groundwater Before Auger Removal:**			DRY
Completed:	10/30/2020	**Driller:**	M.MARSHALL	**Depth To Groundwater After Auger Removal:**			DRY

Depth (ft)	Sample Type	Recovery (inch)	Blow Count Per 6 inches	Graphic Log	N (bpf)	USCS Material Description	Strata Change Depth (ft.)	Pocket Penet. (tsf)	Moisture Content (%)
	SPT	12	1		4	**TOPSOIL, MOIST**	1		7.6
1			2						
			2			**(MLS) BROWN VERY LOOSE SANDY SILT WITH GRAVEL, MOIST**			
2			12						
	SPT	18	20		39	**(MLS) BROWN DENSE SANDY SILT WITH GRAVEL, MOIST**	3		9.8
3			19						
			20			**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**			
4			22						
	SPT	7.2	38		50+		5.7		10.8
5			50						
						AUGER PAST COBBLE/BOULDER TO 8 FT			
6									
	SPT						8		
7									
8									
	SPT	3.6	41		50	**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**	8.9		5
9			50						
	Refusal					**Bottom of Borehole: 8.9 FT**			
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

Refusal Depth: 8.9 FT

Kenney Geotechnical Services

Geotechnical Boring Log

Project Name:	RILEY ROAD SOLAR FARM	**Project Number:**	2020-178	**Logged By:**	R.S	**Boring Number**	B-2
Client:	NEXTERA ENERGY	**Ground Elevation:**	1305.5 FT	**Checked By:**	CMK	**Sheet:**	1 of 1
Location:	CORTLAND, NY	**Drill Rig:**	7822 DT	**Depth To Groundwater While Drilling:**			DRY
Started:	10/30/2020	**Drill Method:**	3.25 HSA	**Depth To Groundwater Before Auger Removal:**			DRY
Completed:	10/30/2020	**Driller:**	M.MARSHALL	**Depth To Groundwater After Auger Removal:**			DRY

Depth (ft)	Sample Type	Recovery (inch)	Blow Count Per 6 inches	Graphic Log	N (bpf)	USCS Material Description	Strata Change Depth (ft.)	Pocket Penet. (tsf)	Moisture Content (%)
			2						
1	SPT	14.4	4		17	**TOPSOIL, MOIST**	1		9.8
			13			**(MLS) BROWN MEDIUM DENSE SANDY SILT WITH GRAVEL, MOIST**			
2			15				2		
			47						
3	SPT	12	31		81				6.2
			50						
4						**(SM) BROWN VERY DENSE SILTY SAND WITH GRAVEL, MOIST**			
			48						
5	SPT	18	35		70				3
			35						
6			37				6		
			30						
7	SPT	9.6	50		100	**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**			5.5
			50				7.1		
8	**Refusal**					**Bottom of Borehole: 7.1 FT**			
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									

Refusal Depth: 7.1 FT

Kenney Geotechnical Services

Geotechnical Boring Log

Project Name:	RILEY ROAD SOLAR FARM	**Project Number:**	2020-178	**Logged By:**	R.S	**Boring Number**	B-3
Client:	NEXTERA ENERGY	**Ground Elevation:**	1307.2 FT	**Checked By:**	CMK	**Sheet:**	1 of 1
Location:	CORTLAND, NY	**Drill Rig:**	7822 DT	**Depth To Groundwater While Drilling:**			DRY
Started:	10/30/2020	**Drill Method:**	3.25 HSA	**Depth To Groundwater Before Auger Removal:**			DRY
Completed:	10/30/2020	**Driller:**	M.MARSHALL	**Depth To Groundwater After Auger Removal:**			DRY

Depth (ft)	Sample Type	Recovery (inch)	Blow Count Per 6 inches	Graphic Log	N (bpf)	USCS Material Description	Strata Change Depth (ft.)	Pocket Penet. (tsf)	Moisture Content (%)
	SPT	12	1		5	**TOPSOIL, MOIST**	1		16.4
1			2						
			3			**(MLS) BROWN LOOSE SANDY SILT WITH GRAVEL, MOIST**	2		
2			7						
	SPT	12	28		80	**(MLS) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**	3.4		5.2
3			30						
			50						
4						**AUGER REFUSAL ON COBBLE/BOULDER; OFFSET HOLE 5 FT NORTH**	8		1.9
	SPT	1.2	50		50+				
5									
6									
	SPT								
7									
8									
	SPT	18	19		56	**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**	16		5.6
9			26						
			30						
10			31						
	SPT	19.6	30		63				7.3
11			31						
			32						
12			32						
	SPT	18	30		69				7.4
13			33						
			36						
14			40						
	SPT	12	28		73				4.8
15			36						
			37						
16			20						
						Bottom of Boring: 16.0 FT			
17									
18									
19									
20									

Refusal Depth: N/A

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Geotechnical Boring Log

Project Name:	RILEY ROAD SOLAR FARM	**Project Number:**	2020-178	**Logged By:**	R.S	**Boring Number**	B-4
Client:	NEXTERA ENERGY	**Ground Elevation:**	1245.2 FT	**Checked By:**	CMK	**Sheet:**	1 of 1
Location:	CORTLAND, NY	**Drill Rig:**	7822 DT	**Depth To Groundwater While Drilling:**			DRY
Started:	10/30/2020	**Drill Method:**	3.25 HSA	**Depth To Groundwater Before Auger Removal:**			DRY
Completed:	10/30/2020	**Driller:**	M.MARSHALL	**Depth To Groundwater After Auger Removal:**			DRY

Depth (ft)	Sample Type	Recovery (inch)	Blow Count Per 6 inches	Graphic Log	N (bpf)	USCS Material Description	Strata Change Depth (ft.)	Pocket Penet. (tsf)	Moisture Content (%)
1	SPT	14.4	2 2		5	**TOPSOIL, MOIST**	1		10.7
2			3 7			**(MLS) BROWN VERY LOOSE SANDY SILT WITH GRAVEL, MOIST**	2		
3	SPT	6	19 50		50+	**(MLS) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**	2.8		8.4
4						**AUGER PAST COBBLE/BOULDER TO 4 FT**	4		
5	SPT	21.6	12 28		56	**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**			4.7
6			28 30						
7	SPT	2.4	27 50		50+		6.6		3.9
8	**Refusal**					**Bottom of Borehole: 6.6 FT**			
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									

Refusal Depth: 6.6 FT

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Geotechnical Boring Log

Project Name:	RILEY ROAD SOLAR FARM	**Project Number:**	2020-178	**Logged By:**	R.S	**Boring Number**	B-5
Client:	NEXTERA ENERGY	**Ground Elevation:**	1262.8 FT	**Checked By:**	CMK	**Sheet:**	1 of 1
Location:	CORTLAND, NY	**Drill Rig:**	7822 DT	**Depth To Groundwater While Drilling:**			DRY
Started:	10/30/2020	**Drill Method:**	3.25 HSA	**Depth To Groundwater Before Auger Removal:**			DRY
Completed:	10/30/2020	**Driller:**	M.MARSHALL	**Depth To Groundwater After Auger Removal:**			DRY

Depth (ft)	Sample Type	Recovery (inch)	Blow Count Per 6 inches	Graphic Log	N (bpf)	USCS Material Description	Strata Change Depth (ft.)	Pocket Penet. (tsf)	Moisture Content (%)
	SPT	12	1		5	**TOPSOIL, MOIST**	1		19.9
1			3						
			2			**(MLS) BROWN VERY LOOSE SANDY SILT WITH GRAVEL, MOIST**			
2			8						
	SPT	18	2		4				2.9
3			2						
			2						
4			2				4		
	SPT	7.2	20		35	**GLACIAL TILL: (ML) BROWN DENSE SANDY SILT WITH GRAVEL, MOIST**			5.2
5			17						
			18						
6			18						
	SPT		15		37				13.6
7			18						
			19						
8			19				8		
	SPT		27		75	**GLACIAL TILL: (ML) BROWN VERY DENSE SANDY SILT WITH GRAVEL, MOIST**			13.2
9			38						
			37						
10			35				10		
	SPT		50		50+	**GRAY SILTSTONE**	10.3		1.2
11	**Refusal**					**Bottom of Borehole: 10.3 FT**			
12									
13									
14									
15									
16									
17									
18									
19									
20									

Refusal Depth: 10.3 FT

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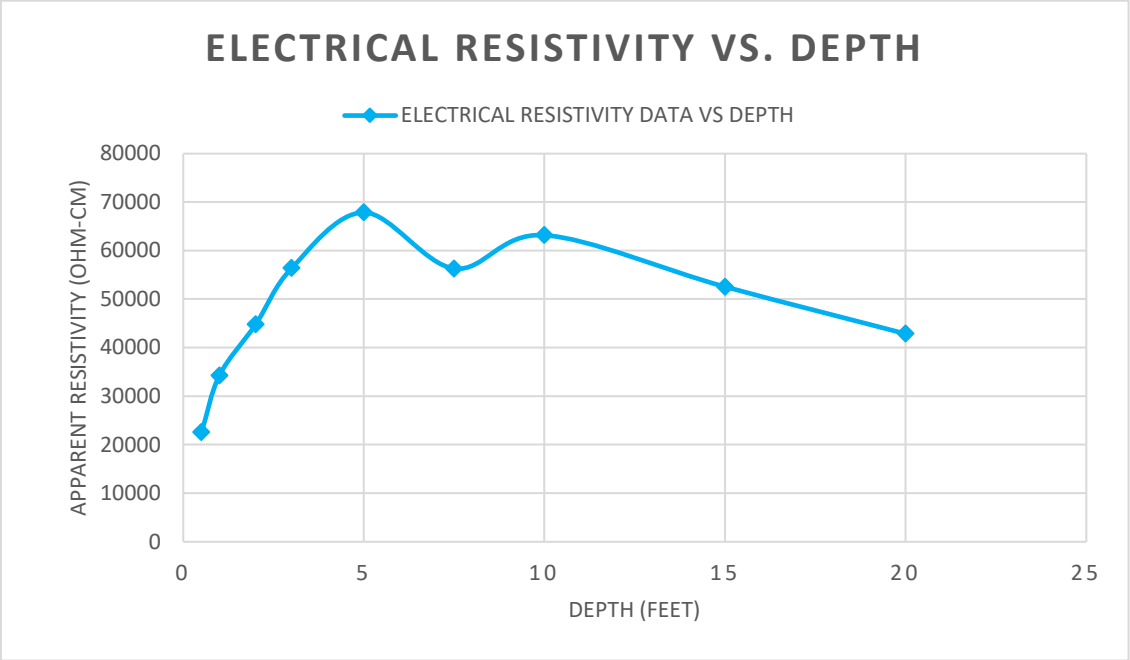
Office: 6901 Herman Road, Syracuse, NY 13209
Mail: P.O. Box 117 Warners, N.Y. 13164
Phone: (315) 638-2706 Fax: (315) 638-1544

ELECTRICAL RESISTIVITY SURVEY (WENNER METHOD ASTM G57) NORTH TO SOUTH			
PROJECT:	Nextera - Riley Road	**NEAREST BORING:**	B-2
PIN SPACING (FT)	DATE	AVERAGE MEASURED RESISTANCE (OHM)	APPARENT RESISTIVITY (OHM-CM)
0.5	11/4/2020	236	22598
1	11/4/2020	179	34281
2	11/4/2020	117	44814
3	11/4/2020	98.2	56419
5	11/4/2020	70.9	67891
7.5	11/4/2020	39.2	56304
10	11/4/2020	33	63199
15	11/4/2020	18.3	52570
20	11/4/2020	11.2	42899



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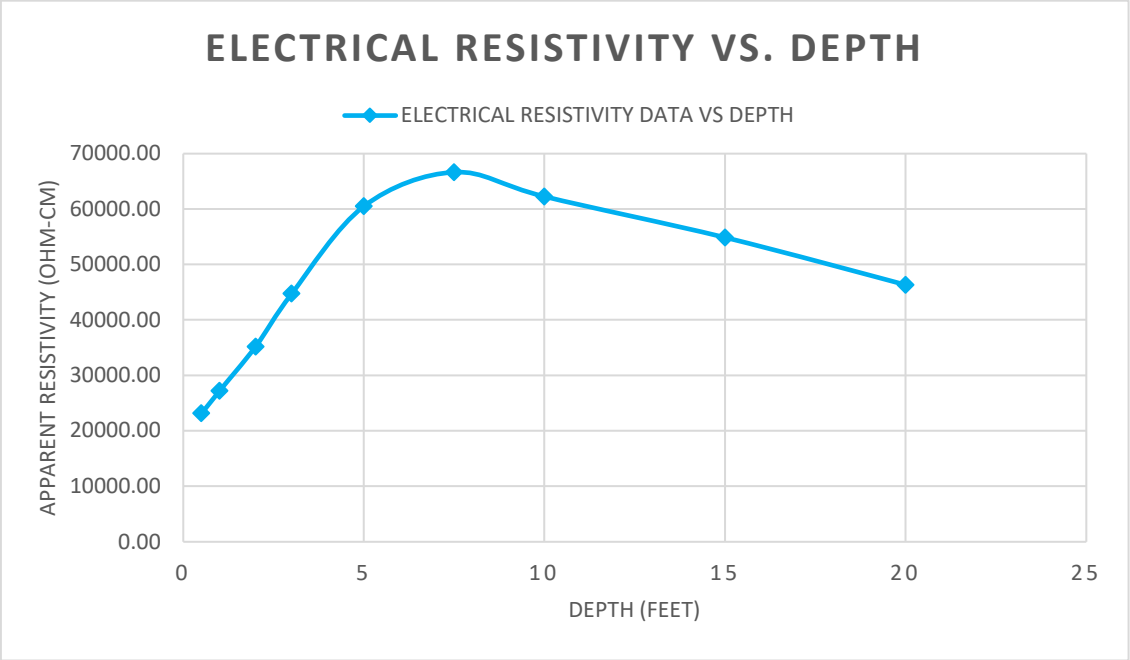
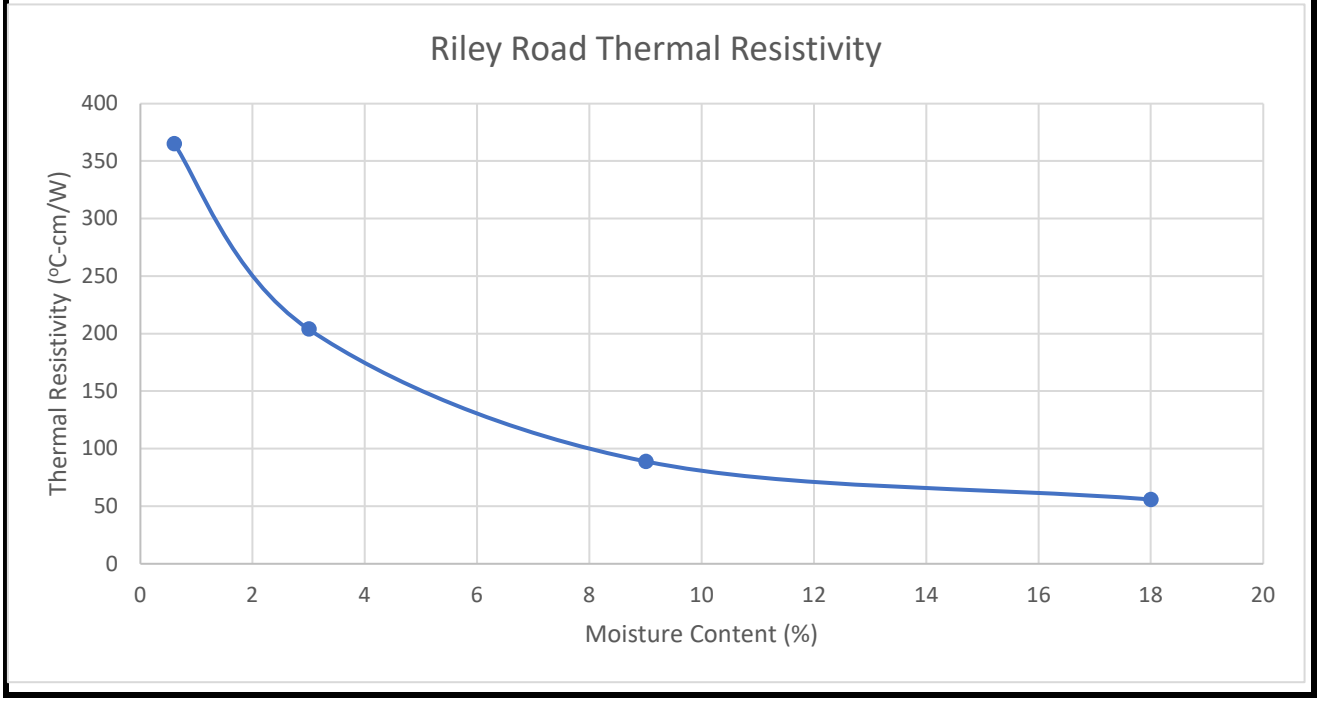
ELECTRICAL RESISTIVITY SURVEY (WENNER METHOD ASTM G57) EAST AND WEST			
PROJECT:	Nextera - Riley Road	**NEAREST BORING:**	B-2
PIN SPACING (FT)	DATE	AVERAGE MEASURED RESISTANCE (OHM)	APPARENT RESISTIVITY (OHM-CM)
0.5	11/4/2020	242	23172.89
1	11/4/2020	142	27194.63
2	11/4/2020	91.9	35199.81
3	11/4/2020	77.9	44756.23
5	11/4/2020	63.2	60517.63
7.5	11/4/2020	46.4	66646.00
10	11/4/2020	32.5	62241.23
15	11/4/2020	19.1	54868.04
20	11/4/2020	12.1	46345.78



THERMAL RESISTIVITY DRY-OUT SEQUENCE

PROJECT:	NextEra- Riley Road	LOCATION:	1902 Riley Road, Cortland, NY
BORING:	Bucket Sample	DEPTH:	4.0'
CLASSIFICATION:	Sandy Silt	NATURAL MOISTURE CONTENT:	9.80%

MOISTURE CONTENT (%)	THERMAL RESISTIVITY (°C-cm/W)
18.40	56
8.70	59
3.00	204
0.60	365



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Phone: (315) 638-2706 Fax: (315) 638-1544

Kenney Geotechnical Services

PROJECT: Riley Road

LOCATION: 1902 Riley Road, Cortland, NY

JOB NO. 2020-178

CLIENT: NextEra Energy Resources

DATE: 11/20/2020

SAMPLE NO.: Bulk 0'-5'

SAMPLE LOCATION: ~

DESCRIPTION OF SOIL: Sandy Silt

AWWA C105/A21.5-99

SOIL CHARACHTERISTIC	RESULT	DIPRA POINTS
Resistivity (ohm-cm)	6,000	0
pH	6.81	0
Redox Potential (mV)	236	0
Sulfides	Trace	2
Moisture	Fair drainage, generally moist	1
TOTAL		3

*Ten points indicates that soil is corrosive; protection is needed

Technician: R.Stachowiak Date: 11/20/2020

Reviewer: C. Kenney Date: 11/20/2020

Sieve Analysis Test

Project :	RILEY ROAD	Borehole :	B-2
Client :	Nextera	Sample Depth :	4 (ft)
Job No.:	2020-178	Classification :	SM | A-1-b(0)
Location :	Cortland	Sample Type :	SPT Split Spoon

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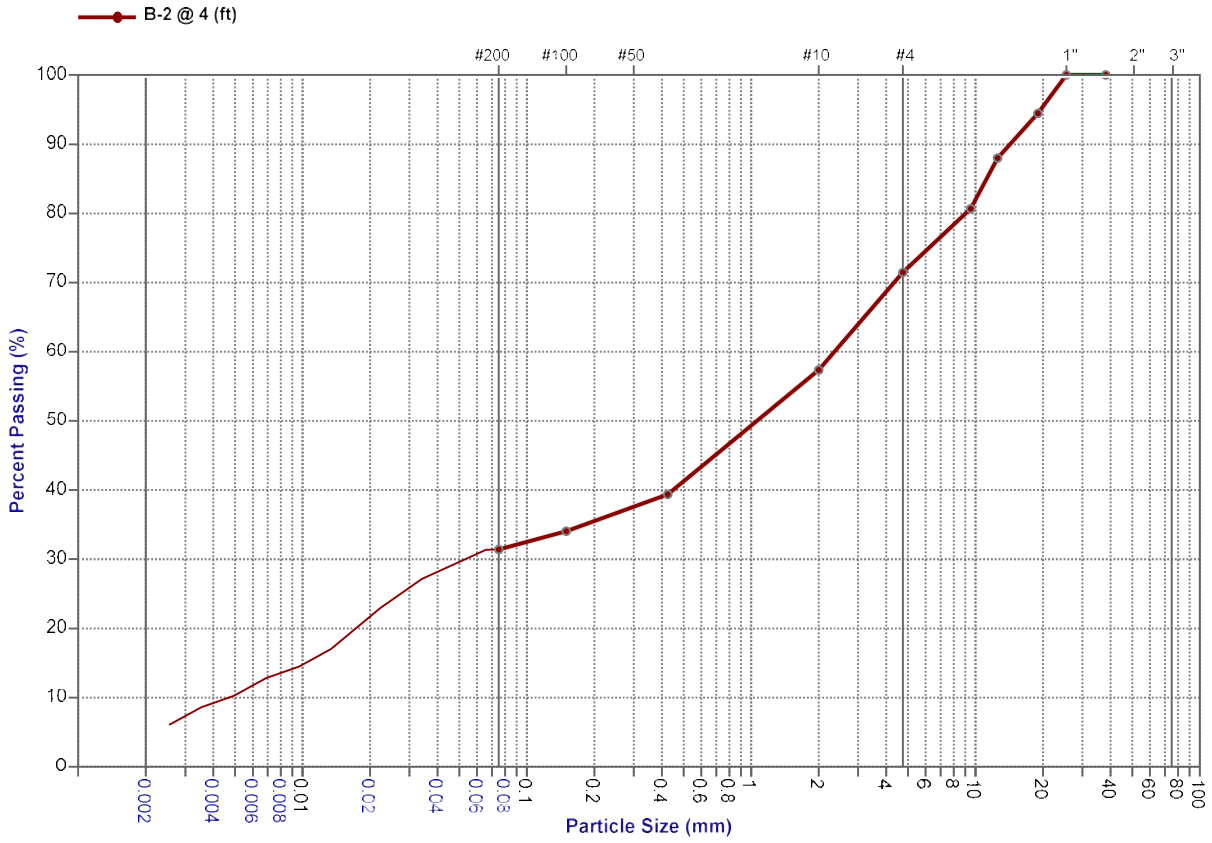
ASTM D422-63



Particle Distribution (%)

Clay	Silt	Sand	Gravel	Cobble
6.1	25.3	40.1	28.5	-

Classification

Borehole	Sample Depth (ft)	D10 (mm)	D30 (mm)	D50 (mm)	D60 (mm)	Cc	Cu	LL (%)	PI (%)	Disp. (%)	USCS	AASHTO
B-2	4	0.005	0.053	1.061	2.352	0.239	470.4	-	-	N/A	SM	A-4|0|0| 0|0|0|0(0)

USCS Soil Description : Silty Sand
AASHTO Soil Description : Stone fragments, gravel, sand (0)

Tested By : JK

Sieve Analysis Test

Project :	RILEY ROAD	Borehole :	B-3
Client :	Nextera	Sample Depth :	10 (ft)
Job No.:	2020-178	Classification :	ML | A-4(0)
Location :	Cortland	Sample Type :	SPT Split Spoon

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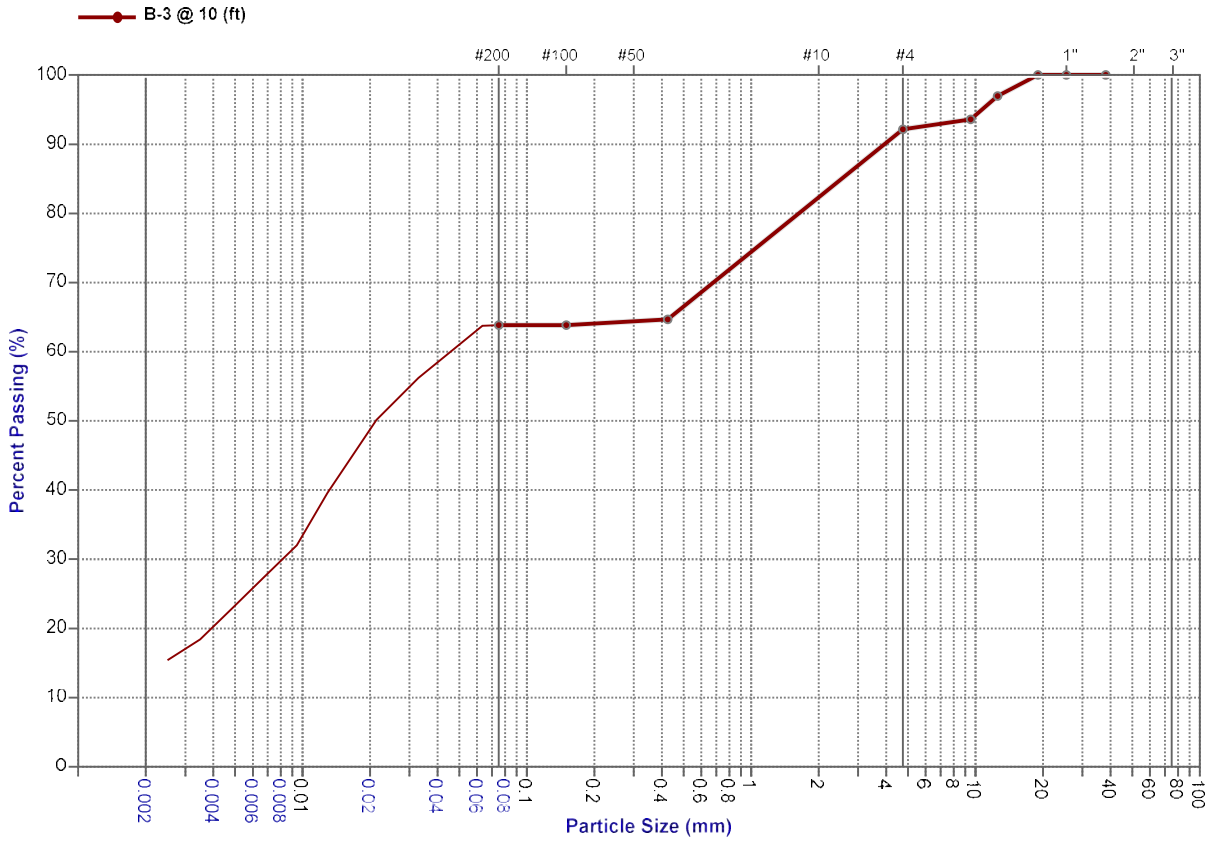
ASTM D422-63



Particle Distribution (%)

Clay	Silt	Sand	Gravel	Cobble
15.4	48.4	28.3	7.8	0.1

Classification

Borehole	Sample Depth (ft)	D10 (mm)	D30 (mm)	D50 (mm)	D60 (mm)	Cc	Cu	LL (%)	PI (%)	Disp. (%)	USCS	AASHTO
B-3	10	1	0.008	0.021	0.046	0.001	0.046	-	-	N/A	ML	A-4(0)

USCS Soil Description : Low Plasticity Silt
AASHTO Soil Description : A-4, Silty soils (0)

Tested By : JK

Sieve Analysis Test

Project :	RILEY ROAD	Borehole :	B-5
Client :	Nextera	Sample Depth :	8 (ft)
Job No.:	2020-178	Classification :	SP | A-1-b(0)
Location :	Cortland	Sample Type :	SPT Split Spoon

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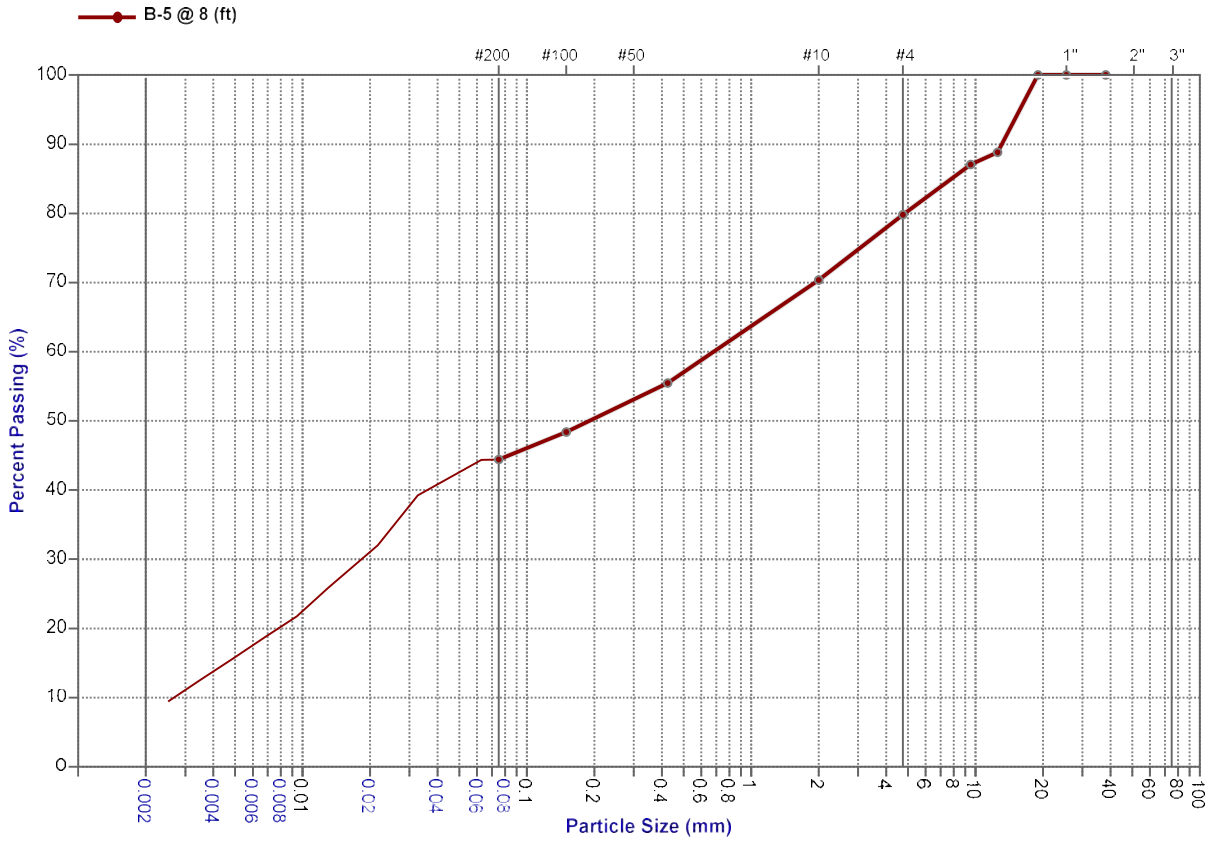
ASTM D422-63



Particle Distribution (%)

Clay	Silt	Sand	Gravel	Cobble
9.4	35	35.4	20.2	-

Classification

Borehole	Sample Depth (ft)	D10 (mm)	D30 (mm)	D50 (mm)	D60 (mm)	Cc	Cu	LL (%)	PI (%)	Disp. (%)	USCS	AASHTO
B-5	8	0.003	0.018	0.19	0.681	0.159	227	-	-	N/A	SM	A-4(0)

USCS Soil Description : Poorly Graded Sand
AASHTO Soil Description : Stone fragments, gravel, sand (0)

Tested By : JK

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Phone: (315) 638-2706 Fax: (315) 638-1544

Project No.:	**2020-178**	**Date:**	**11/3/2020**
Project Name:	**Nextera - Riley Road**		

Natural Moisture Content
ASTM D22116

Sample:	**B-1 0-2**	**B-1 2-4**	**B-1 4-6**	**B-1 8-10**	**B-2 0-2**	**B-2 2-4**	**B-2 6-8**	**B-3 0-2**
Tare Name:	PIG	BFL	RED	PAM	DUCK	ZEBRA	DUDE	NATE
Tare Weight:	13.98	13.79	13.66	14.07	13.55	14.05	14.5	14.25
Tare + Wet Sample Wt.:	55.94	57.36	48.77	51.13	45.37	52.64	47.15	47.24
Tare + Dry Sample Wt.:	52.96	53.48	45.34	49.37	42.52	50.4	45.46	42.58
H20 Wt.:	3.0	3.9	3.4	1.8	2.8	2.2	1.7	4.7
Dry Sample Wt.:	39.0	39.7	31.7	35.3	29.0	36.4	31.0	28.3
MC = (H20 Wt. / Dry Sample Wt.) x 100:	7.6	9.8	10.8	5.0	9.8	6.2	5.5	16.4

Sample:	**B-3 2-4**	**B-3 4-6**	**B-3 12-14**	**B-3 14-16**	**B-4 0-2**	**B-4 2-4**	**B-4 6-8**	**B-5 0-2**
Tare Name:	TB	RMB	BULL	JUJU	GUN	JET	SAM	NESS
Tare Weight:	13.7	13.31	13.58	13.59	13.22	13.71	13.81	13.72
Tare + Wet Sample Wt.:	41.71	27.77	48.46	44.69	49.33	45.47	49.97	40.89
Tare + Dry Sample Wt.:	40.32	27.5	46.05	43.27	45.83	43	48.61	36.38
H20 Wt.:	1.4	0.3	2.4	1.4	3.5	2.5	1.4	4.5
Dry Sample Wt.:	26.6	14.2	32.5	29.7	32.6	29.3	34.8	22.7
MC = (H20 Wt. / Dry Sample Wt.) x 100:	5.2	1.9	7.4	4.8	10.7	8.4	3.9	19.9

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Project No.:	**2020-178**	**Date:**	**11/3/2020**
Project Name:	**Nextera - Riley Road**		

Natural Moisture Content
ASTM D22116

Sample:	**B-5 2-4**	**B-5 4-6**	**B-5 6-8**	**B-5 10-12**	**B-5 8-10**	**B-3 10-12**	**B-2 4-6**	**B-4 4-6**	**B-3 8-10**
Tare Name:	IKE	WGAS	WASP	FISH	WASP	BULL	DUDE	JET	RMB
Tare Weight:	14.07	13.8	13.58	13.53	13.58	13.58	14.5	13.71	13.31
Tare + Wet Sample Wt.:	40.86	51.62	44.67	25.43	47.67	50.16	50.05	47.77	46.44
Tare + Dry Sample Wt.:	40.1	49.75	40.96	25.29	43.69	47.85	48.14	42.98	43.83
H20 Wt.:	0.8	1.9	3.7	0.1	4.0	2.3	1.9	4.8	2.6
Dry Sample Wt.:	26.0	36.0	27.4	11.8	30.1	34.3	33.6	29.3	30.5
MC = (H20 Wt. / Dry Sample Wt.) x 100:	2.9	5.2	13.6	1.2	13.2	6.7	5.7	16.4	8.6

Sample:									
Tare Name:									
Tare Weight:									
Tare + Wet Sample Wt.:									
Tare + Dry Sample Wt.:									
H20 Wt.:									
Dry Sample Wt.:									
MC = (H20 Wt. / Dry Sample Wt.) x 100:									

ATTERBERG LIMITS TEST

Project :	RILEY ROAD	Borehole :	B-3
Client :	Nextera	Sample Depth :	8 (ft)
Job No.:	2020-178	Classification :	(N/A)
Location :	Cortland	Sample Type :	SPT Split Spoon

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ASTM D2216-90, D854

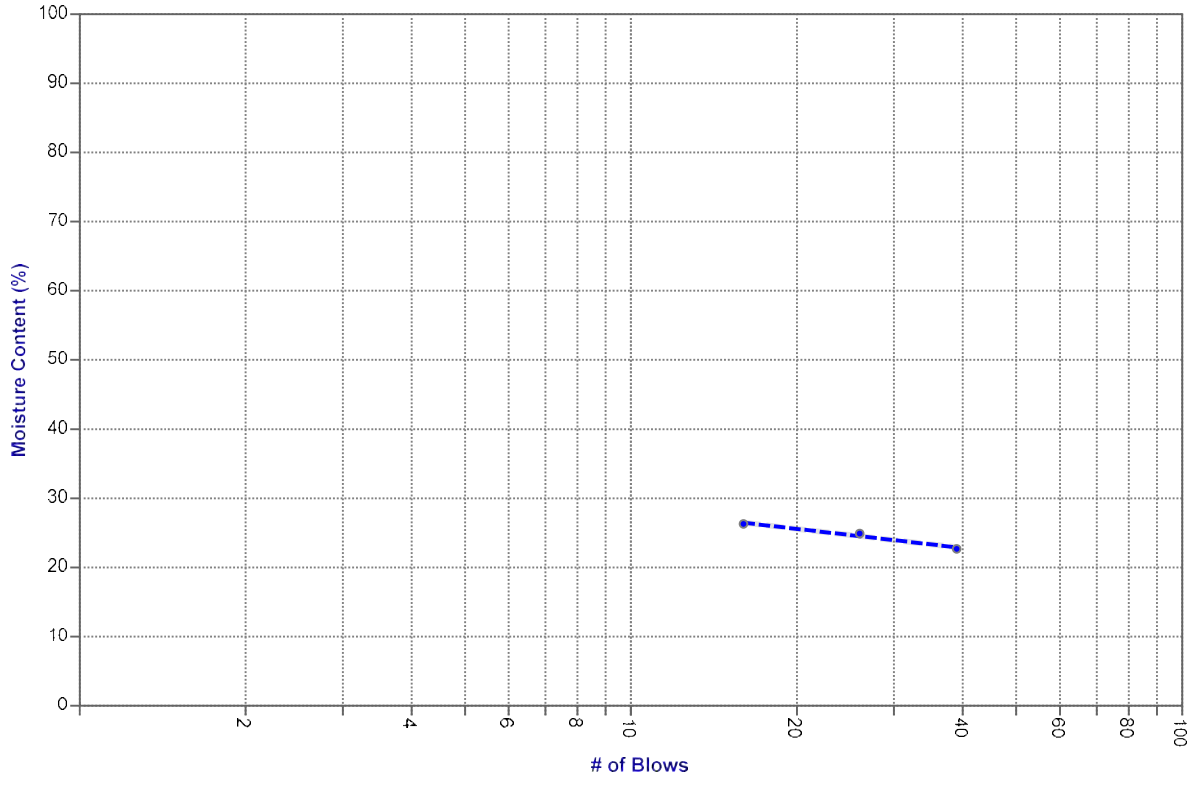
Liquid Limit

Cont. W (lb)	Cont. + Wet Soil W (gr)	Cont. + Dry Soil W (gr)	# of Blows	Moisture Content (%)
13.7	24.12	21.95	16	26.3
13.79	25.24	22.96	26	24.9
13.77	25.48	23.31	39	22.7
				-

Plastic Limit

Cont. W (lb)	Cont. + Wet Soil W (gr)	Cont. + Dry Soil W (gr)	Moisture Content (%)
13.92	16.2	15.89	15.7
13.74	15.92	15.52	22.5
13.53	15.96	15.67	13.6

LL = 24.7 % **PL = 17.3 %** **PI=7.4**



USCS Soil Description :
AASHTO Soil Description :

Tested By :
BE

ATTERBERG LIMITS TEST

Project :	RILEY ROAD	Borehole :	B-4
Client :	Nextera	Sample Depth :	4 (ft)
Job No.:	2020-178	Classification :	(N/A)
Location :	Cortland	Sample Type :	SPT Split Spoon

Kenney Geotechnical

Kenney Geotechnical Services

ASTM D2216-90, D854

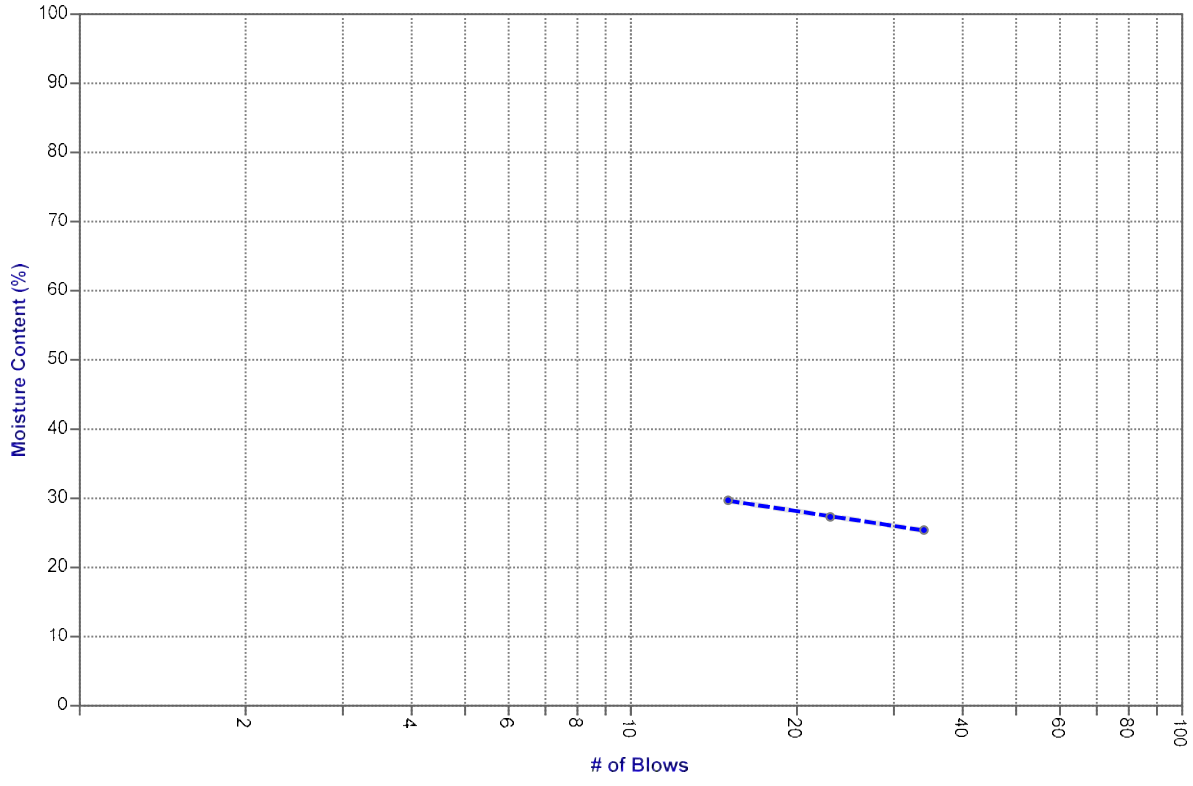
Liquid Limit

Cont. W (lb)	Cont. + Wet Soil W (gr)	Cont. + Dry Soil W (gr)	# of Blows	Moisture Content (%)
13.77	23.04	20.92	15	29.7
13.44	25.85	23.19	23	27.3
14.1	26.88	24.29	34	25.4
				-

Plastic Limit

Cont. W (lb)	Cont. + Wet Soil W (gr)	Cont. + Dry Soil W (gr)	Moisture Content (%)
14.01	16.12	15.75	21.3
14.51	16.86	16.5	18.1
14.08	16.72	16.34	16.8

LL = 27 % **PL = 18.7 %** **PI=8.3**



USCS Soil Description :
AASHTO Soil Description :

Tested By :

APPENDIX C:
STORMWATER CALCULATIONS

Green Infrastructure Worksheet
HydroCAD Diagram
HydroCAD Node Inputs & Outputs

LaBella
Powered by partnership.

Version 1.8
Last Updated: 11/09/2015

Total Water Quality Volume Calculation
WQv(acre-feet) = [(P)(Rv)(A)] /12

Is this project subject to Chapter 10 of the NYS Design Manual (i.e. WQv is equal to post-development 1 year runoff volume)?.....	
Design Point:	
P=	1.00 *inch*

Breakdown of Subcatchments

Catchment Number	Total Area *(Acres)*	Impervious Area *(Acres)*	Percent Impervious *%*	Rv	WQv *(ft^3)*	Description
1	0.23	0.13	56%	0.55	467	Filter Strips
2	0.23	0.13	56%	0.55	467	Filter Strips
3						
4						
5						
6						
7						
8						
9						
10						
Subtotal (1-30)	0.46	0.26	56%	0.55	**934**	**Subtotal 1**
Total	0.46	0.26	56%	0.55	**934**	**Initial WQv**	**0.02**	**af**

Identify Runoff Reduction Techniques By Area

Technique	Total Contributing Area *(Acre)*	Contributing Impervious Area *(Acre)*	Notes
Conservation of Natural Areas	0.00	0.00	*minimum 10,000 sf*
Riparian Buffers	0.00	0.00	*maximum contributing length 75 feet to 150 feet*
Filter Strips	0.46	0.26	
Tree Planting	0.00	0.00	*Up to 100 sf directly connected impervious area may be subtracted per*
Total	**0.46**	**0.26**	

Recalculate WQv after application of Area Reduction Techniques

	Total Area *(Acres)*	Impervious Area *(Acres)*	Percent Impervious *%*	Runoff Coefficient Rv	WQv *(ft^3)*		
"<<Initial WQv"	0.46	0.26	56%	0.55	934		
Subtract Area	-0.46	-0.26					
WQv adjusted after Area Reductions	**0.00**	**0.00**	0%	0.05	0		
Disconnection of Rooftops		0.00					
Adjusted WQv after Area Reduction and Rooftop Disconnect	0.00	0.00	0%	0.05	**0**	**0.00**	**af**
WQv reduced by Area Reduction techniques					934	**0.02**	**af**

Filter Strip

Design Point:	

Enter Site Data For Drainage Area to be Treated by Practice							
Catchment Number	**Total Area** *(Acres)*	**Impervious Area** *(Acres)*	**Percent Impervious** *%*	**Rv**	**WQv** *(ft^3)*	**Precipitation** *(in)*	**Description**
1	0.23	0.13	0.56	0.55	466.82	1.00	Filter Strips

Design Elements			
Is another area based practice applied to this area?	*No*	*Y/N*	
Amended Soils & Dense Turf Cover?	*Yes*	*Y/N*	
Is area protected from compaction from heavy equipment during construction?	*Yes*	*Y/N*	
Small Area of Impervious Area & close to source?	*Yes*	*Y/N*	
Composte Amendments?	*No*	*Y/N*	
Boundary Spreader?	*No*	*Y/N*	*Gravel Diaphram at top*
Boundary Zone?	*No*	*Y/N*	*25 feet of level grass*
Specify how sheet flow will be ensured.			*level spreader shall be used for buffer slopes ranging from 3-15%*
Average contributing slope	1	*%*	*3% maximum unless a level spreader is*
Slope of first 10 feet of Filter Strip	2	*%*	*2% maximum*
Overall Slope	8	*%*	*8% maximum*
Contributing Length of Pervious Areas (PC)	15	*ft*	*150 ft maximum*
Contributing Length of Impervious areas (IC)	34	*ft*	*75 ft maximum*
Maximum PC Contributing Length for combination of PC & IC	116	*ft*	
Soil Group (HSG)	D		
Filter Strip Width	50	*ft*	*50 ft minimum for slopes 0-8%* *75 ft minimum for slopes 8-12%* *100 ft minimum for slopes 12-15%* *HSG C or D increase by 15-20%*
Are All Criteria for Filter Strips in Section 5.3.2 met?	*Yes*		

Area Reduction Adjustments		
Subtract	**0.23**	***Acres from total Area***
Subtract	**0.13**	***Acres from total Impervious Area***

FALSE

Filter Strip

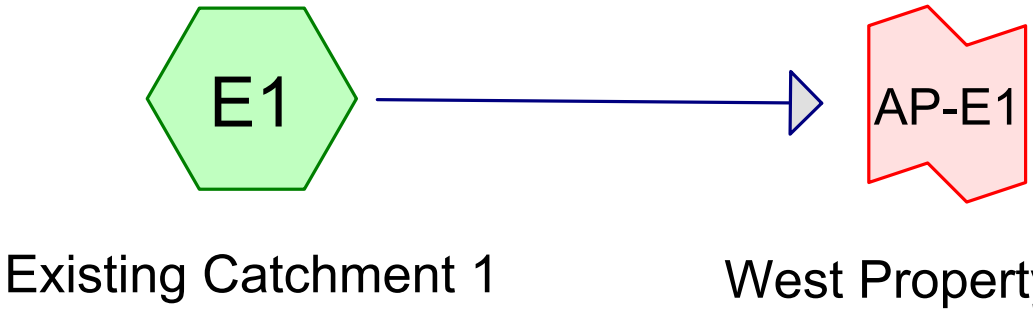
Design Point:	

Enter Site Data For Drainage Area to be Treated by Practice							
Catchment Number	**Total Area** *(Acres)*	**Impervious Area** *(Acres)*	**Percent Impervious** *%*	**Rv**	**WQv** *(ft^3)*	**Precipitation** *(in)*	**Description**
2	0.23	0.13	0.56	0.55	466.82	1.00	Filter Strips

Design Elements			
Is another area based practice applied to this area?	*No*	*Y/N*	
Amended Soils & Dense Turf Cover?	*Yes*	*Y/N*	
Is area protected from compaction from heavy equipment during construction?	*Yes*	*Y/N*	
Small Area of Impervious Area & close to source?	*Yes*	*Y/N*	
Composte Amendments?	*No*	*Y/N*	
Boundary Spreader?	*No*	*Y/N*	*Gravel Diaphram at top*
Boundary Zone?	*No*	*Y/N*	*25 feet of level grass*
Specify how sheet flow will be ensured.			*level spreader shall be used for buffer slopes ranging from 3-15%*
Average contributing slope	1	*%*	*3% maximum unless a level spreader is used.*
Slope of first 10 feet of Filter Strip	2	*%*	*2% maximum*
Overall Slope	8	*%*	*8% maximum*
Contributing Length of Pervious Areas (PC)	50	*ft*	*150 ft maximum*
Contributing Length of Impervious areas	65	*ft*	*75 ft maximum*
Maximum PC Contributing Length for combination of PC & IC	85	*ft*	
Soil Group (HSG)	D		
Filter Strip Width	50	*ft*	*50 ft minimum for slopes 0-8%* *75 ft minimum for slopes 8-12%* *100 ft minimum for slopes 12-15%* *HSG C or D increase by 15-20%*
Are All Criteria for filter strips in Section 5.3.2 met?	*Yes*		

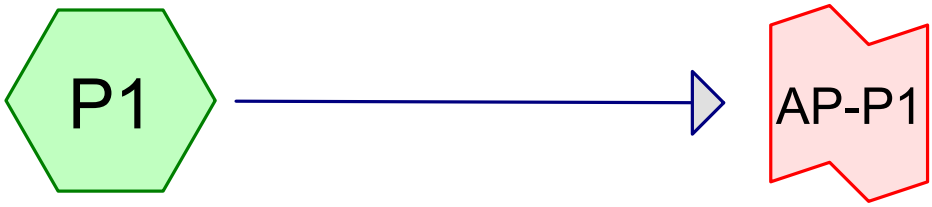
Area Reduction Adjustments		
Subtract	**0.23**	***Acres from total Area***
Subtract	**0.13**	***Acres from total Impervious Area***

FALSE



Existing Catchment 1

West Property Line



Proposed Catchment

West Property Line

Subcat Reach Pond Link

Routing Diagram for Riley Road Stormwater

Prepared by {enter your company name here}, Printed 12/17/2020

Rainfall Events Listing (selected events)

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	--1 yr	Type II 24-hr		Default	24.00	1	1.97	2
2	--2 yr	Type II 24-hr		Default	24.00	1	2.35	2
3	-10 yr	Type II 24-hr		Default	24.00	1	3.35	2
4	100 yr	Type II 24-hr		Default	24.00	1	5.61	2

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
53.400	74	>75% Grass cover, Good, HSG C (E1, P1)
48.078	80	>75% Grass cover, Good, HSG D (E1, P1)
0.039	98	Concrete Pads (P1)
0.223	96	Gravel surface, HSG D (P1)
0.528	98	Paved parking, HSG D (E1, P1)
1.852	77	Woods, Good, HSG D (E1, P1)
104.120	**77**	**TOTAL AREA**

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
53.400	HSG C	E1, P1
50.681	HSG D	E1, P1
0.039	Other	P1
104.120		**TOTAL AREA**

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	53.400	48.078	0.000	101.478	>75% Grass cover, Good	E1, P1
0.000	0.000	0.000	0.000	0.039	0.039	Concrete Pads	P1
0.000	0.000	0.000	0.223	0.000	0.223	Gravel surface	P1
0.000	0.000	0.000	0.528	0.000	0.528	Paved parking	E1, P1
0.000	0.000	0.000	1.852	0.000	1.852	Woods, Good	E1, P1
0.000	**0.000**	**53.400**	**50.681**	**0.039**	**104.120**	**TOTAL AREA**	

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E1: Existing Catchment 1 Runoff Area=52.060 ac 0.51% Impervious Runoff Depth>0.38"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=31.93 cfs 1.655 af

Subcatchment P1: Proposed Catchment Runoff Area=52.060 ac 0.58% Impervious Runoff Depth>0.38"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=31.93 cfs 1.655 af

Link AP-E1: West Property Line Inflow=31.93 cfs 1.655 af
Primary=31.93 cfs 1.655 af

Link AP-P1: West Property Line Inflow=31.93 cfs 1.655 af
Primary=31.93 cfs 1.655 af

Total Runoff Area = 104.120 ac Runoff Volume = 3.310 af Average Runoff Depth = 0.38"
99.46% Pervious = 103.553 ac 0.54% Impervious = 0.567 ac

Summary for Subcatchment E1: Existing Catchment 1

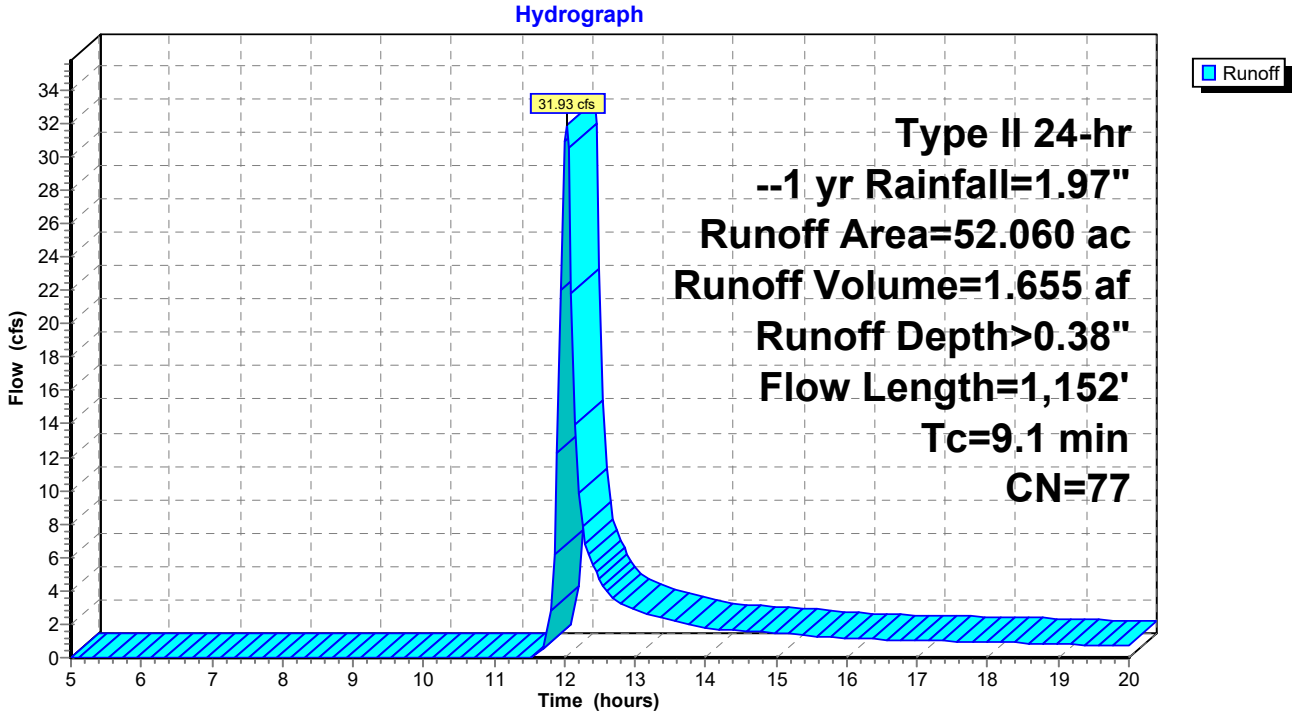
Runoff = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af, Depth> 0.38"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr --1 yr Rainfall=1.97"

Area (ac)	CN	Description
24.170	80	>75% Grass cover, Good, HSG D
0.264	98	Paved parking, HSG D
0.926	77	Woods, Good, HSG D
26.700	74	>75% Grass cover, Good, HSG C
52.060	77	Weighted Average
51.796		99.49% Pervious Area
0.264		0.51% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment E1: Existing Catchment 1



Summary for Subcatchment P1: Proposed Catchment

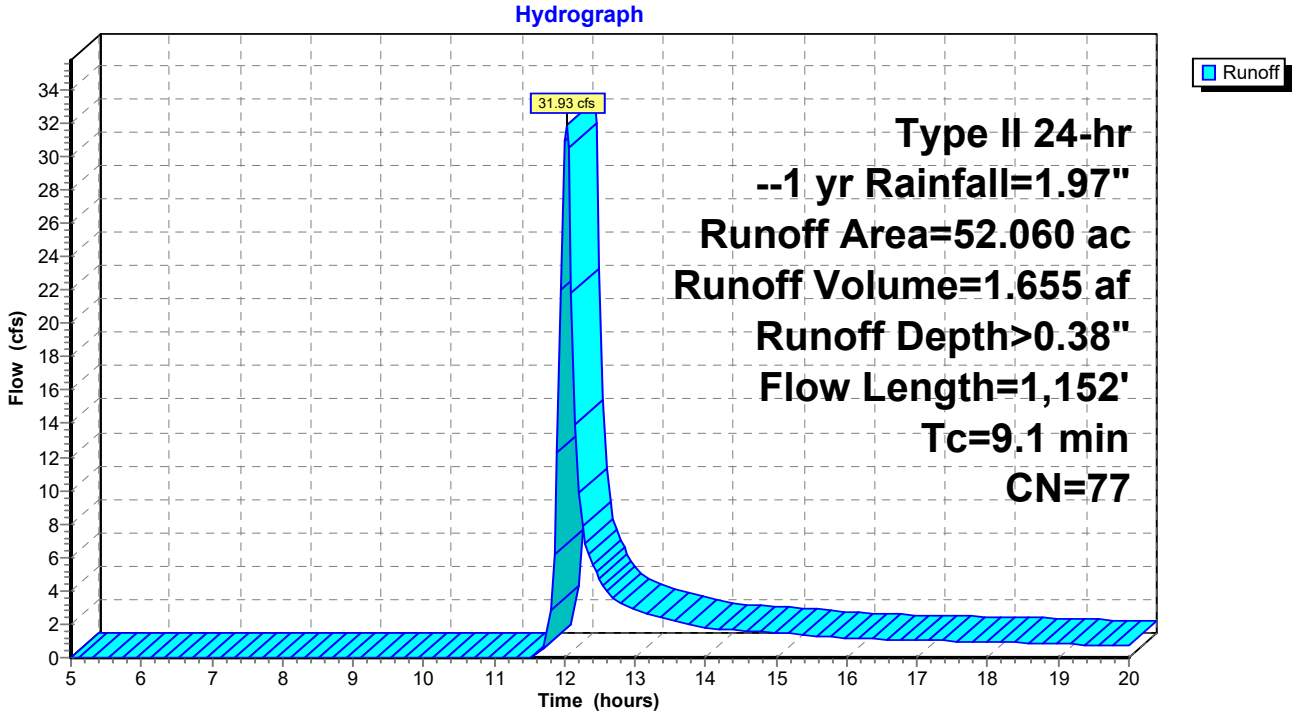
Runoff = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af, Depth> 0.38"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr --1 yr Rainfall=1.97"

	Area (ac)	CN	Description
	23.908	80	>75% Grass cover, Good, HSG D
	0.264	98	Paved parking, HSG D
	0.926	77	Woods, Good, HSG D
	26.700	74	>75% Grass cover, Good, HSG C
*	0.039	98	Concrete Pads
	0.223	96	Gravel surface, HSG D
	52.060	77	Weighted Average
	51.757		99.42% Pervious Area
	0.303		0.58% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment P1: Proposed Catchment

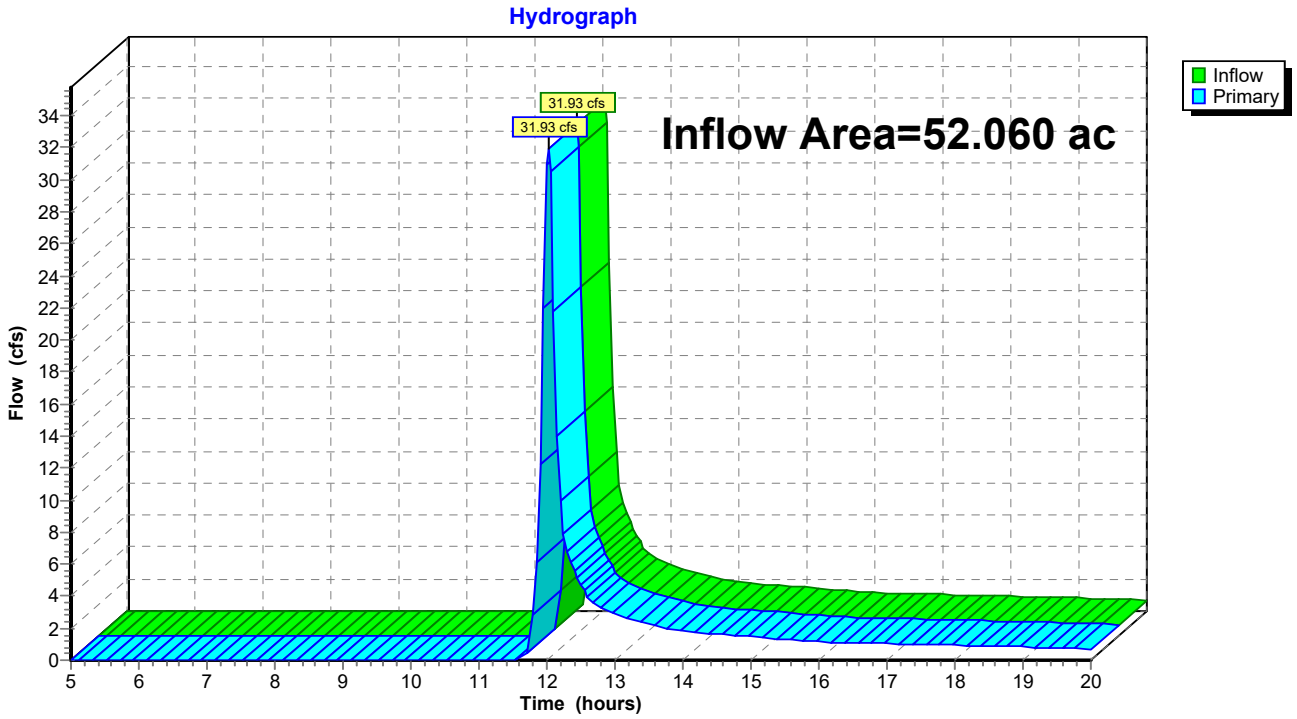


Summary for Link AP-E1: West Property Line

Inflow Area = 52.060 ac, 0.51% Impervious, Inflow Depth > 0.38" for --1 yr event
Inflow = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af
Primary = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-E1: West Property Line

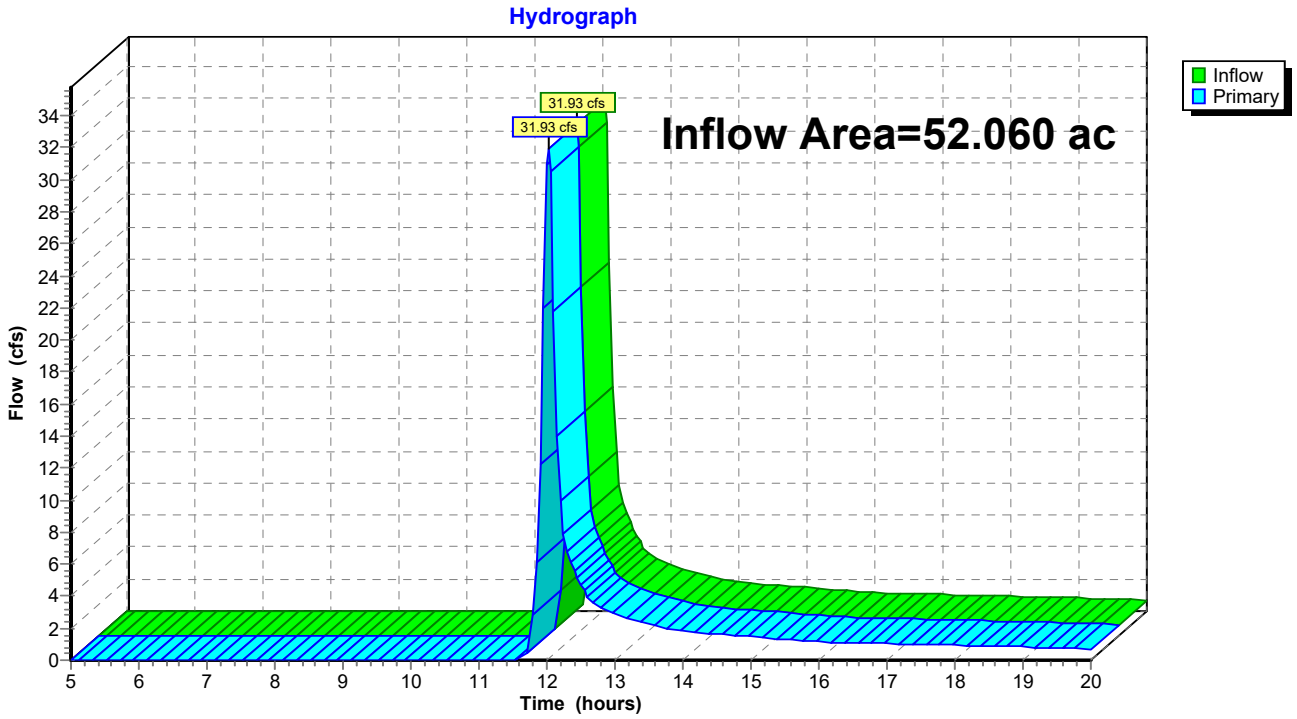


Summary for Link AP-P1: West Property Line

Inflow Area = 52.060 ac, 0.58% Impervious, Inflow Depth > 0.38" for --1 yr event
Inflow = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af
Primary = 31.93 cfs @ 12.02 hrs, Volume= 1.655 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-P1: West Property Line



Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E1: Existing Catchment 1 Runoff Area=52.060 ac 0.51% Impervious Runoff Depth>0.58"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=50.50 cfs 2.512 af

Subcatchment P1: Proposed Catchment Runoff Area=52.060 ac 0.58% Impervious Runoff Depth>0.58"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=50.50 cfs 2.512 af

Link AP-E1: West Property Line Inflow=50.50 cfs 2.512 af
Primary=50.50 cfs 2.512 af

Link AP-P1: West Property Line Inflow=50.50 cfs 2.512 af
Primary=50.50 cfs 2.512 af

Total Runoff Area = 104.120 ac Runoff Volume = 5.024 af Average Runoff Depth = 0.58"
99.46% Pervious = 103.553 ac 0.54% Impervious = 0.567 ac

Summary for Subcatchment E1: Existing Catchment 1

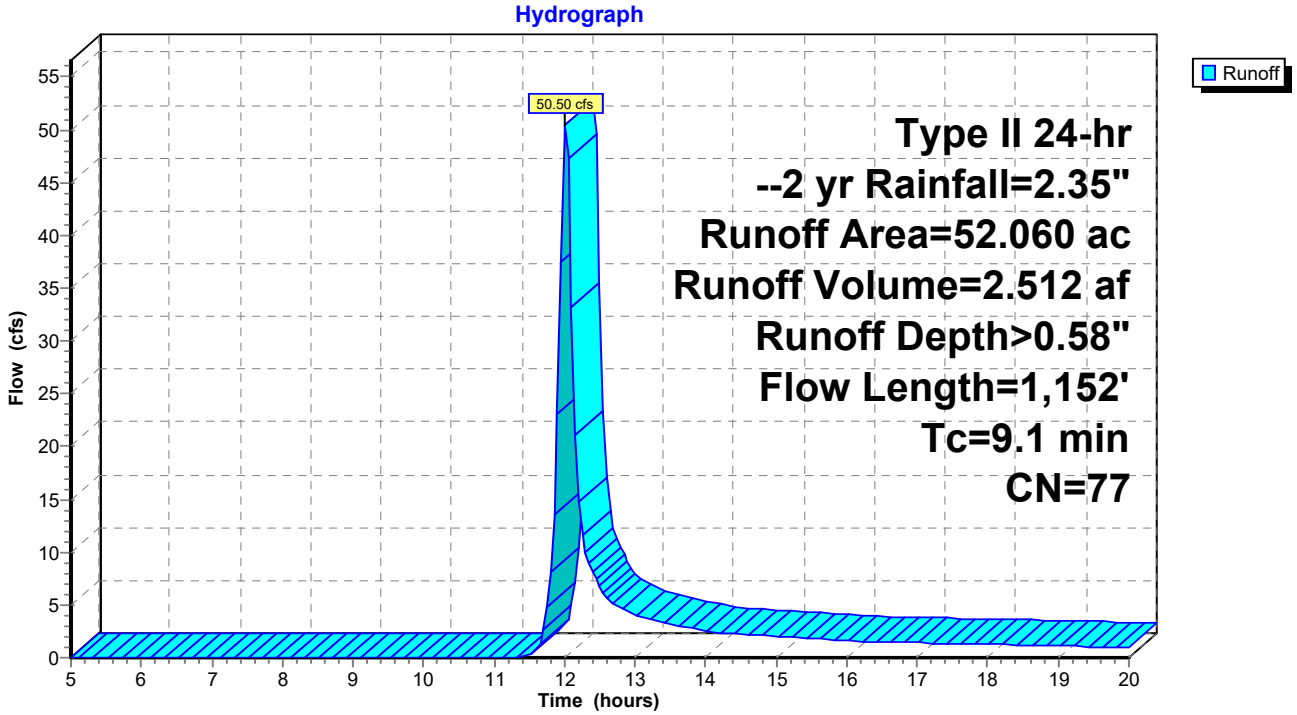
Runoff = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af, Depth> 0.58"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr --2 yr Rainfall=2.35"

Area (ac)	CN	Description
24.170	80	>75% Grass cover, Good, HSG D
0.264	98	Paved parking, HSG D
0.926	77	Woods, Good, HSG D
26.700	74	>75% Grass cover, Good, HSG C
52.060	77	Weighted Average
51.796		99.49% Pervious Area
0.264		0.51% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment E1: Existing Catchment 1



Summary for Subcatchment P1: Proposed Catchment

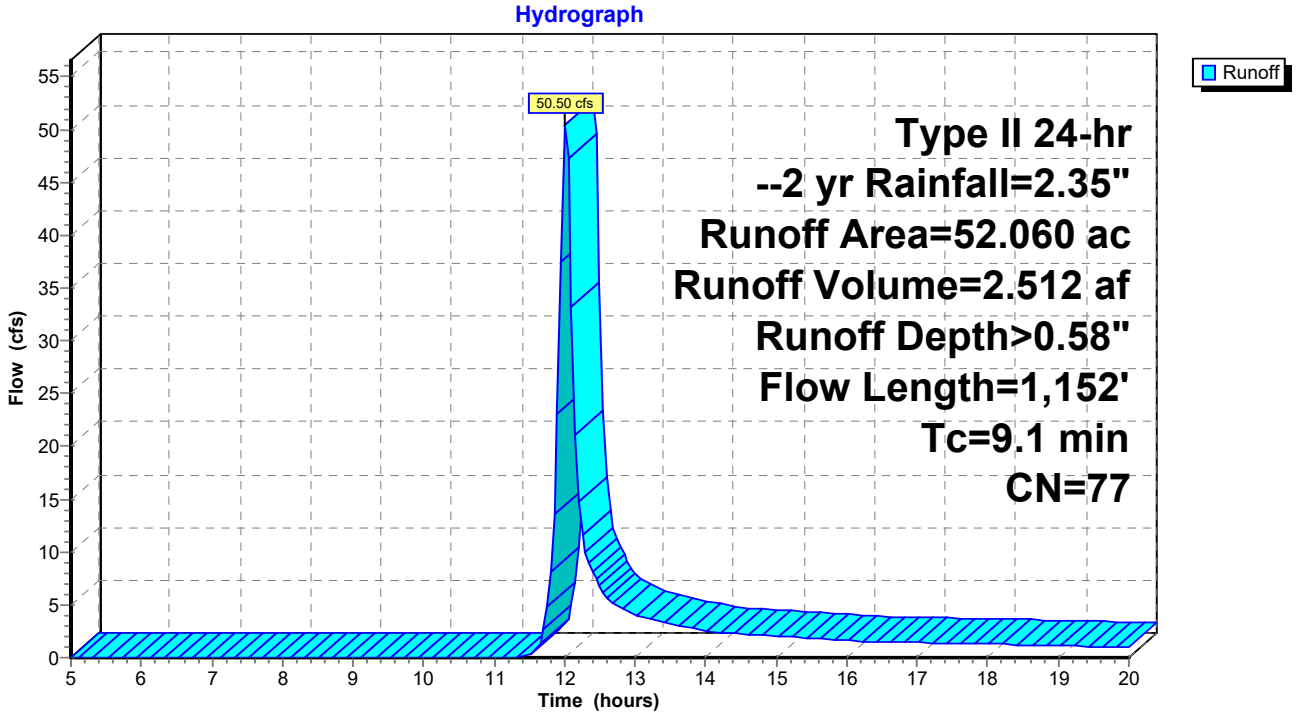
Runoff = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af, Depth> 0.58"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr --2 yr Rainfall=2.35"

	Area (ac)	CN	Description
	23.908	80	>75% Grass cover, Good, HSG D
	0.264	98	Paved parking, HSG D
	0.926	77	Woods, Good, HSG D
	26.700	74	>75% Grass cover, Good, HSG C
*	0.039	98	Concrete Pads
	0.223	96	Gravel surface, HSG D
	52.060	77	Weighted Average
	51.757		99.42% Pervious Area
	0.303		0.58% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment P1: Proposed Catchment

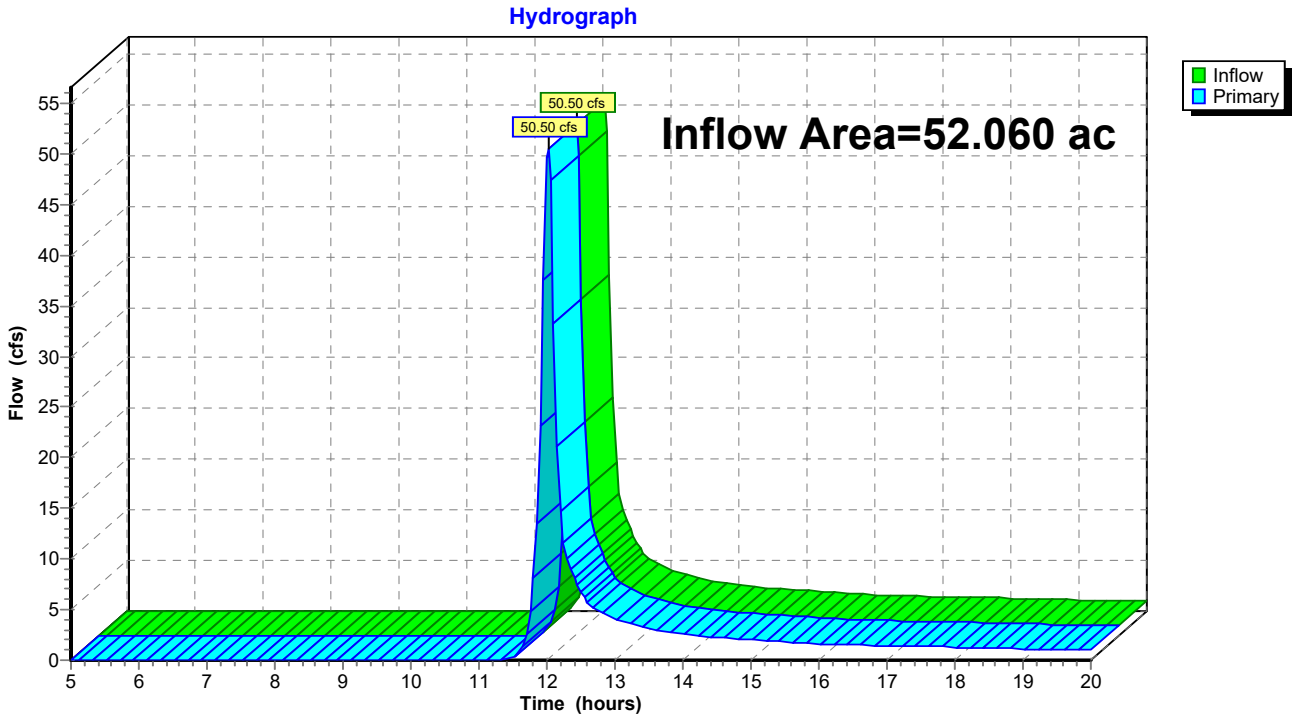


Summary for Link AP-E1: West Property Line

Inflow Area = 52.060 ac, 0.51% Impervious, Inflow Depth > 0.58" for --2 yr event
Inflow = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af
Primary = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-E1: West Property Line

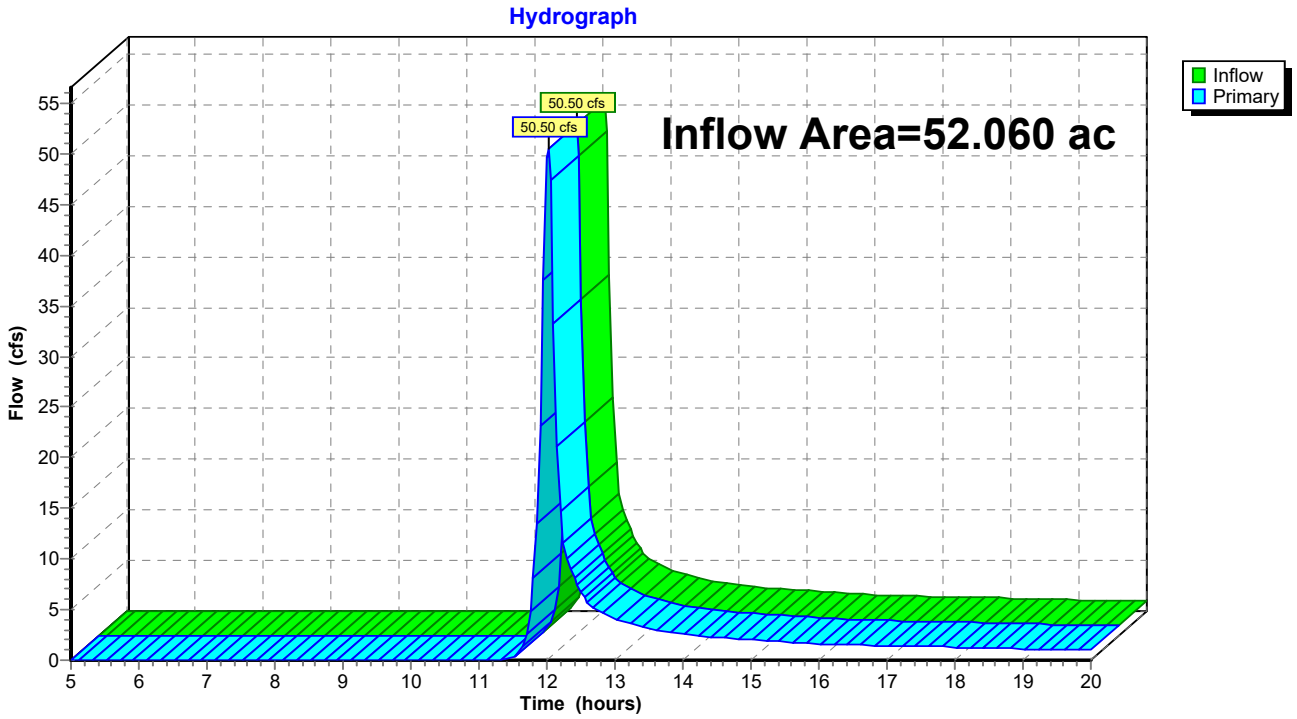


Summary for Link AP-P1: West Property Line

Inflow Area = 52.060 ac, 0.58% Impervious, Inflow Depth > 0.58" for --2 yr event
Inflow = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af
Primary = 50.50 cfs @ 12.02 hrs, Volume= 2.512 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-P1: West Property Line



Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E1: Existing Catchment 1 Runoff Area=52.060 ac 0.51% Impervious Runoff Depth>1.20"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=107.30 cfs 5.208 af

Subcatchment P1: Proposed Catchment Runoff Area=52.060 ac 0.58% Impervious Runoff Depth>1.20"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=107.30 cfs 5.208 af

Link AP-E1: West Property Line Inflow=107.30 cfs 5.208 af
Primary=107.30 cfs 5.208 af

Link AP-P1: West Property Line Inflow=107.30 cfs 5.208 af
Primary=107.30 cfs 5.208 af

Total Runoff Area = 104.120 ac Runoff Volume = 10.416 af Average Runoff Depth = 1.20"
99.46% Pervious = 103.553 ac 0.54% Impervious = 0.567 ac

Summary for Subcatchment E1: Existing Catchment 1

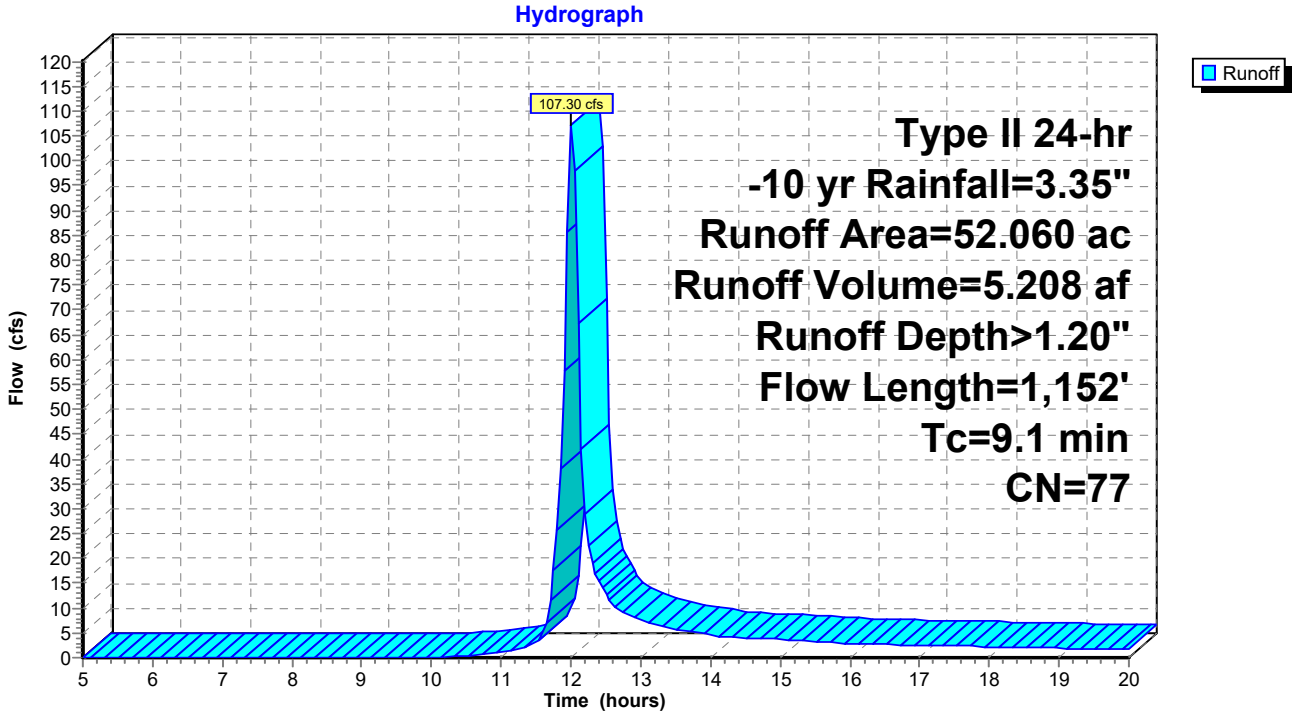
Runoff = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af, Depth> 1.20"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr -10 yr Rainfall=3.35"

Area (ac)	CN	Description
24.170	80	>75% Grass cover, Good, HSG D
0.264	98	Paved parking, HSG D
0.926	77	Woods, Good, HSG D
26.700	74	>75% Grass cover, Good, HSG C
52.060	77	Weighted Average
51.796		99.49% Pervious Area
0.264		0.51% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment E1: Existing Catchment 1



Summary for Subcatchment P1: Proposed Catchment

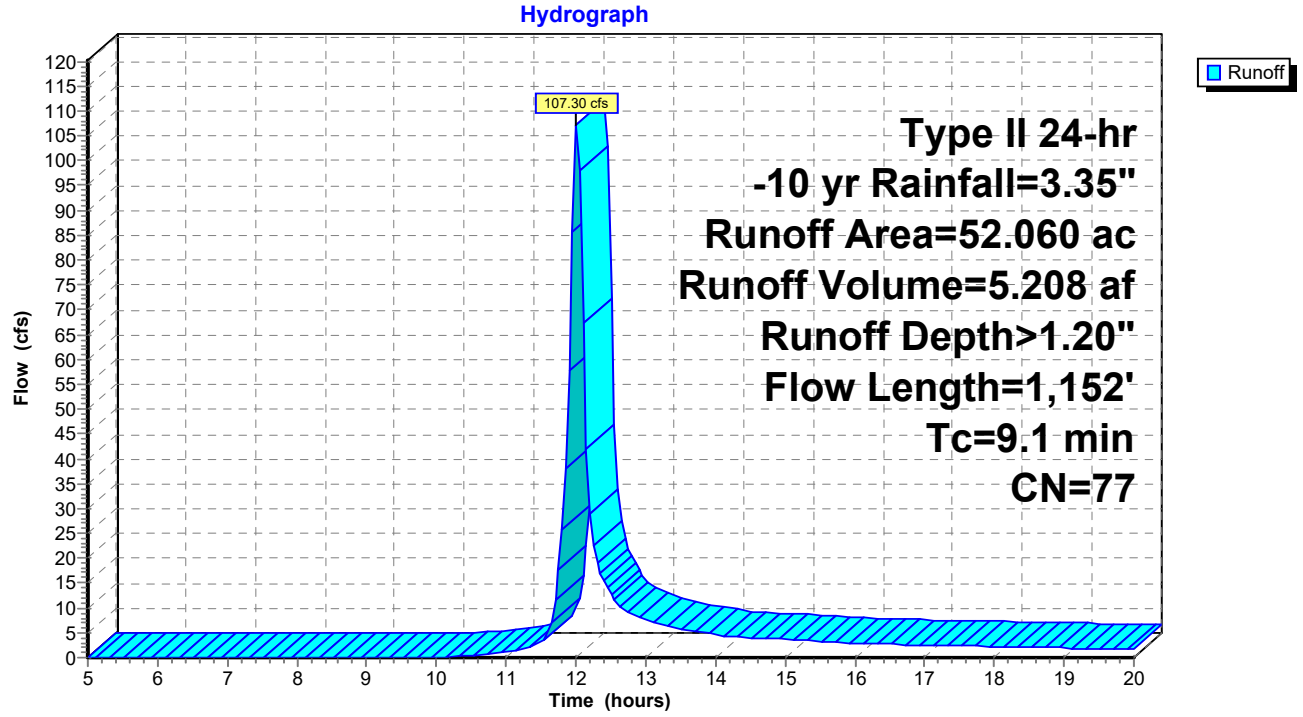
Runoff = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af, Depth> 1.20"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr -10 yr Rainfall=3.35"

	Area (ac)	CN	Description
	23.908	80	>75% Grass cover, Good, HSG D
	0.264	98	Paved parking, HSG D
	0.926	77	Woods, Good, HSG D
	26.700	74	>75% Grass cover, Good, HSG C
*	0.039	98	Concrete Pads
	0.223	96	Gravel surface, HSG D
	52.060	77	Weighted Average
	51.757		99.42% Pervious Area
	0.303		0.58% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment P1: Proposed Catchment

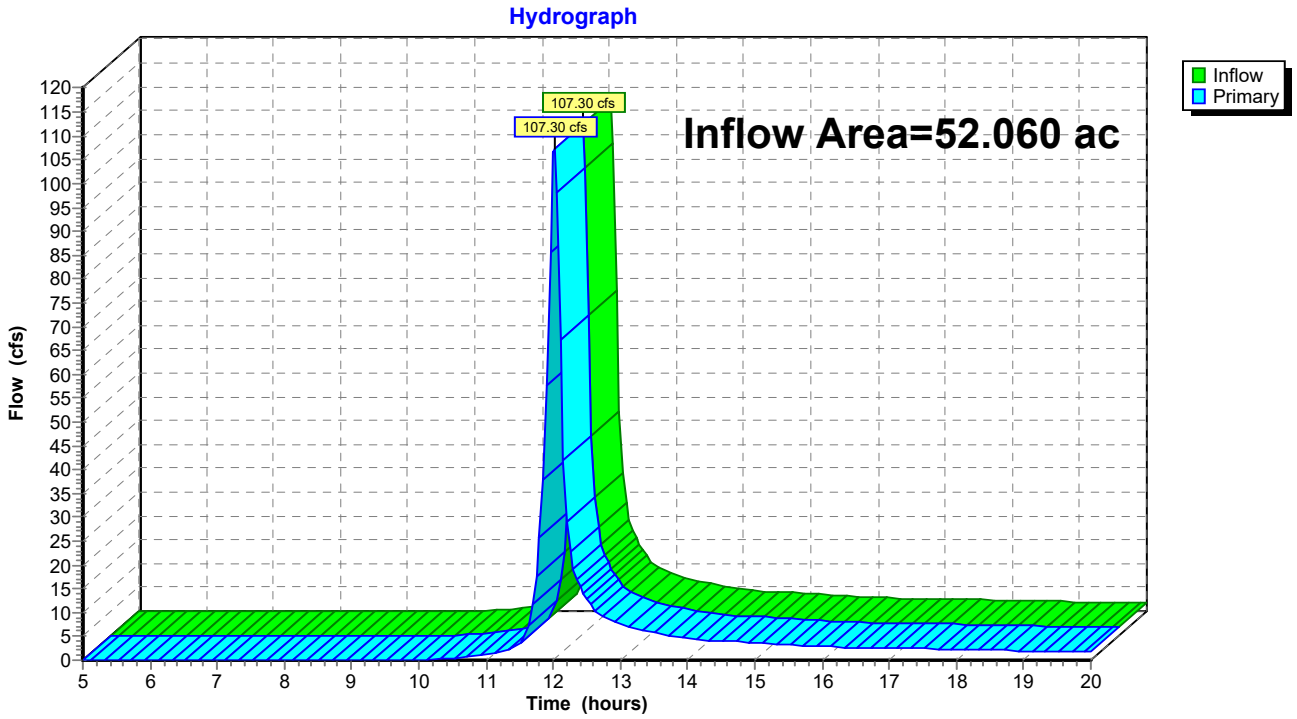


Summary for Link AP-E1: West Property Line

Inflow Area = 52.060 ac, 0.51% Impervious, Inflow Depth > 1.20" for -10 yr event
Inflow = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af
Primary = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-E1: West Property Line

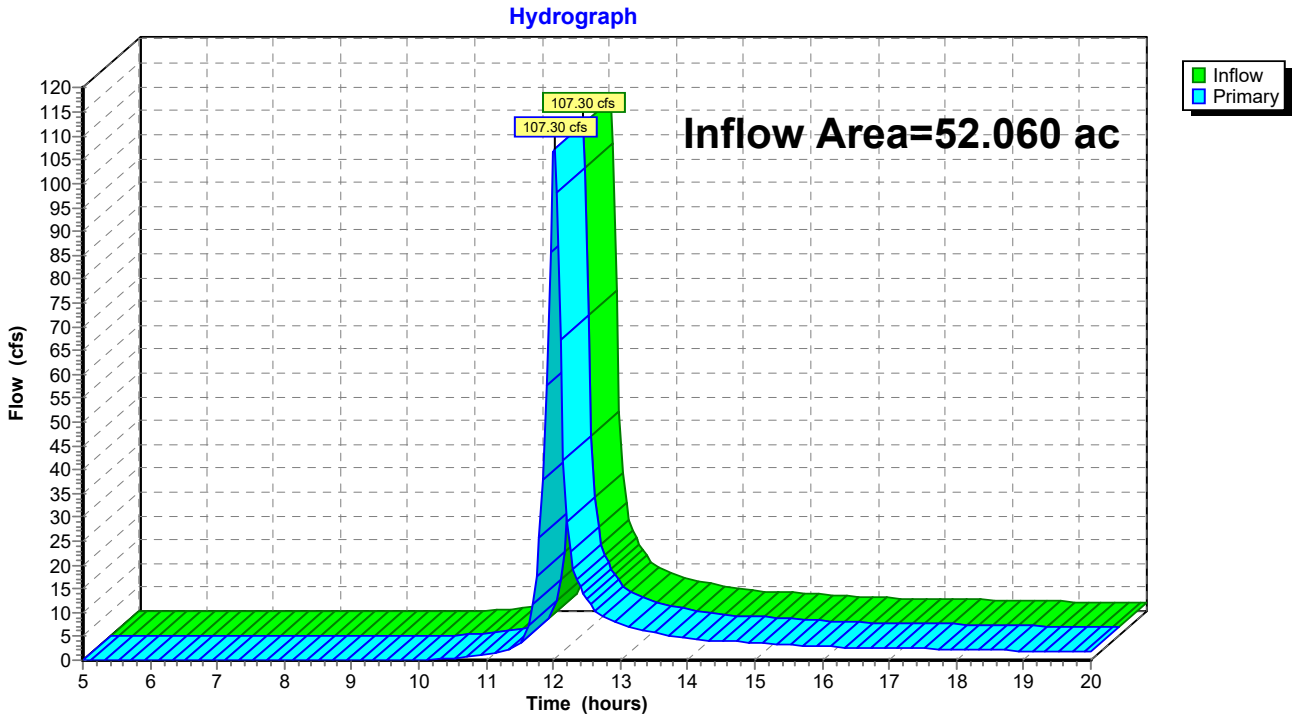


Summary for Link AP-P1: West Property Line

Inflow Area = 52.060 ac, 0.58% Impervious, Inflow Depth > 1.20" for -10 yr event
Inflow = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af
Primary = 107.30 cfs @ 12.01 hrs, Volume= 5.208 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-P1: West Property Line



Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment E1: Existing Catchment 1 Runoff Area=52.060 ac 0.51% Impervious Runoff Depth>2.90"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=255.63 cfs 12.595 af

Subcatchment P1: Proposed Catchment Runoff Area=52.060 ac 0.58% Impervious Runoff Depth>2.90"
Flow Length=1,152' Tc=9.1 min CN=77 Runoff=255.63 cfs 12.595 af

Link AP-E1: West Property Line Inflow=255.63 cfs 12.595 af
Primary=255.63 cfs 12.595 af

Link AP-P1: West Property Line Inflow=255.63 cfs 12.595 af
Primary=255.63 cfs 12.595 af

Total Runoff Area = 104.120 ac Runoff Volume = 25.190 af Average Runoff Depth = 2.90"
99.46% Pervious = 103.553 ac 0.54% Impervious = 0.567 ac

Summary for Subcatchment E1: Existing Catchment 1

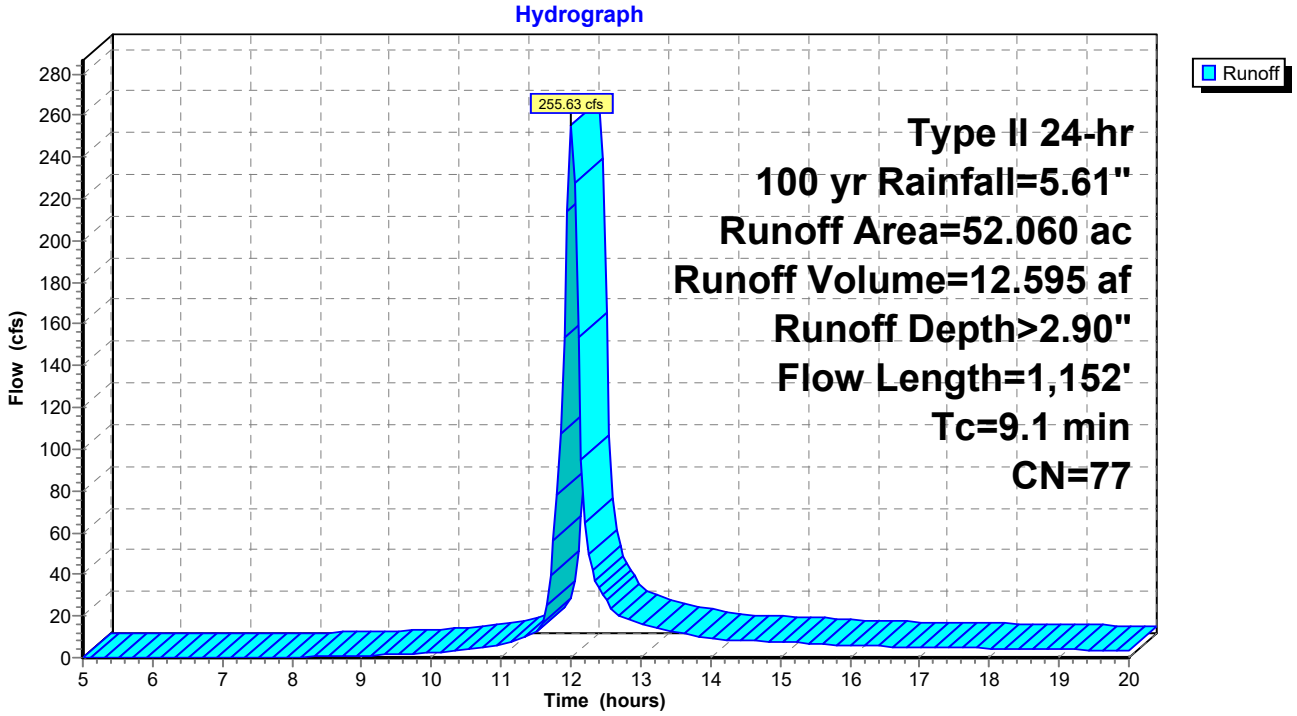
Runoff = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af, Depth> 2.90"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100 yr Rainfall=5.61"

Area (ac)	CN	Description
24.170	80	>75% Grass cover, Good, HSG D
0.264	98	Paved parking, HSG D
0.926	77	Woods, Good, HSG D
26.700	74	>75% Grass cover, Good, HSG C
52.060	77	Weighted Average
51.796		99.49% Pervious Area
0.264		0.51% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment E1: Existing Catchment 1



Summary for Subcatchment P1: Proposed Catchment

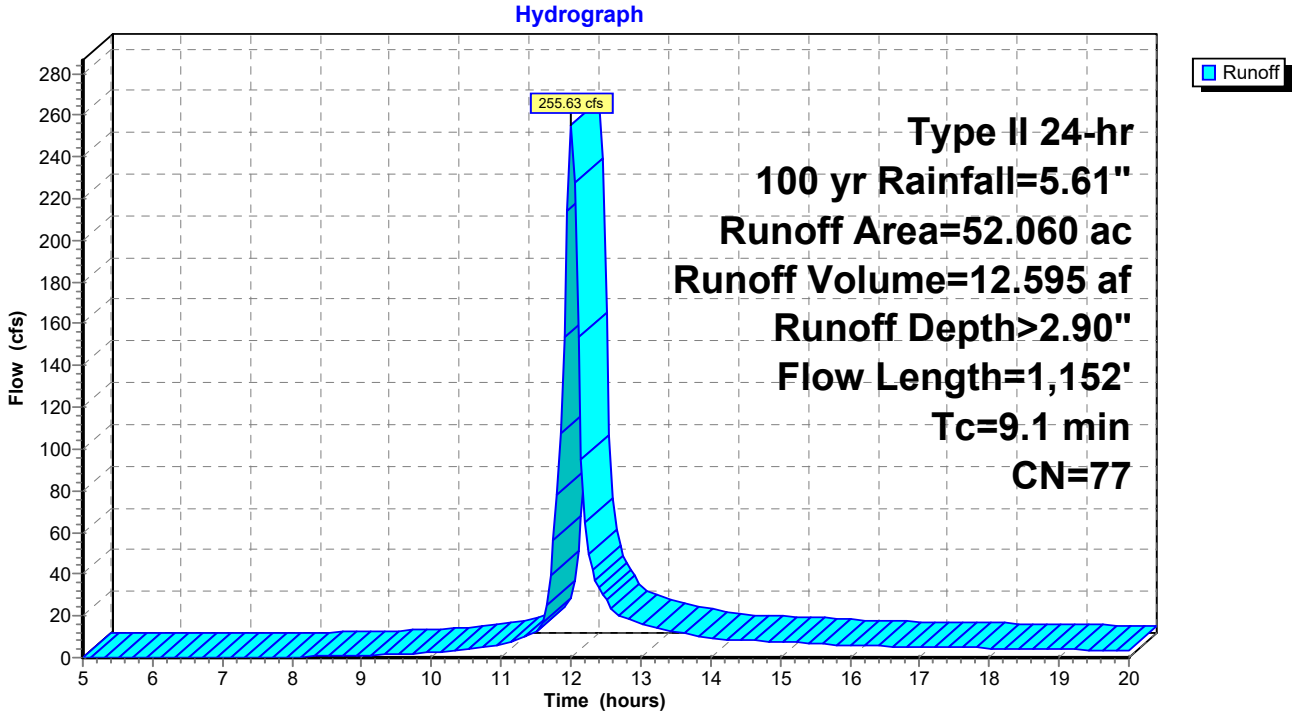
Runoff = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af, Depth> 2.90"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type II 24-hr 100 yr Rainfall=5.61"

	Area (ac)	CN	Description
	23.908	80	>75% Grass cover, Good, HSG D
	0.264	98	Paved parking, HSG D
	0.926	77	Woods, Good, HSG D
	26.700	74	>75% Grass cover, Good, HSG C
*	0.039	98	Concrete Pads
	0.223	96	Gravel surface, HSG D
	52.060	77	Weighted Average
	51.757		99.42% Pervious Area
	0.303		0.58% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.8	100	0.1100	0.29		**Sheet Flow, SF 100** Grass: Short n= 0.150 P2= 2.35"
3.3	1,052	0.1122	5.39		**Shallow Concentrated Flow, SCF 1052** Unpaved Kv= 16.1 fps
9.1	1,152	Total			

Subcatchment P1: Proposed Catchment

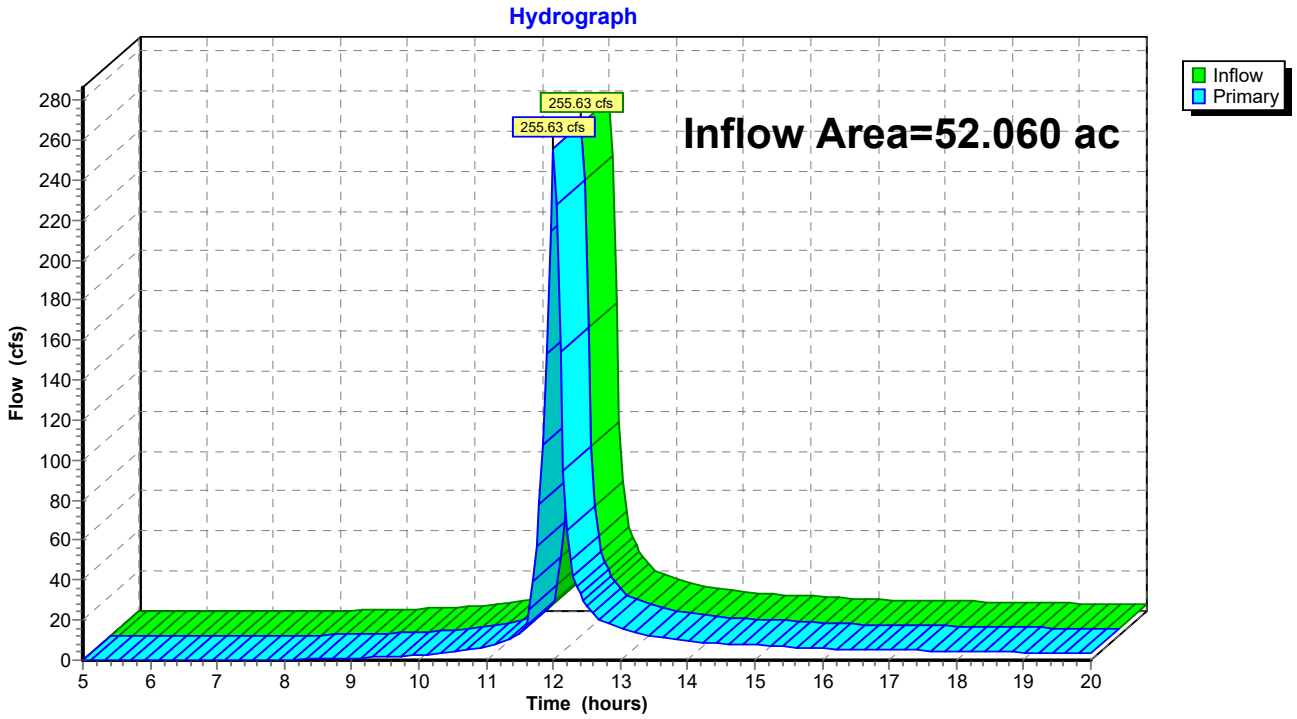


Summary for Link AP-E1: West Property Line

Inflow Area = 52.060 ac, 0.51% Impervious, Inflow Depth > 2.90" for 100 yr event
Inflow = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af
Primary = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-E1: West Property Line

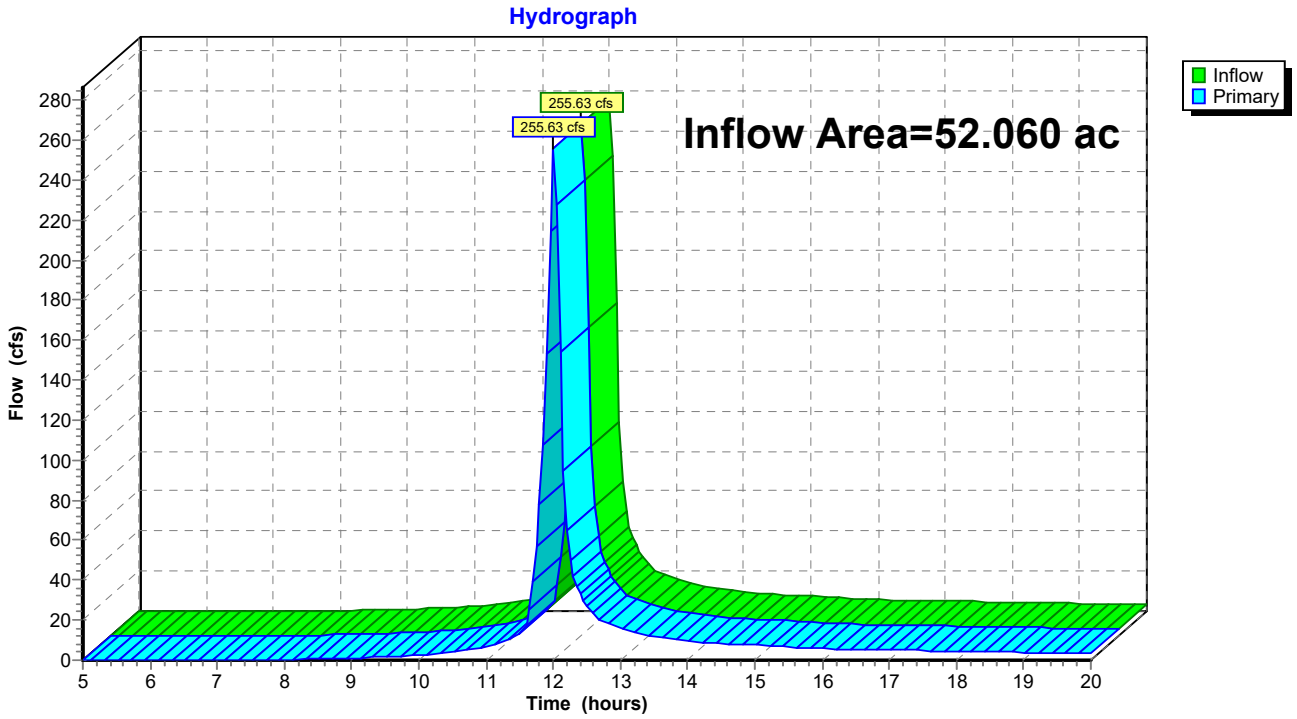


Summary for Link AP-P1: West Property Line

Inflow Area = 52.060 ac, 0.58% Impervious, Inflow Depth > 2.90" for 100 yr event
Inflow = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af
Primary = 255.63 cfs @ 12.00 hrs, Volume= 12.595 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Link AP-P1: West Property Line



APPENDIX D:
INSPECTION REPORTS

NYSDEC Annual Inspection Form
SPDES Construction Site Log Book
SPDES Standardized Qualified Inspector Form

LaBella
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APPENDIX H

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR CONSTRUCTION ACTIVITIES

CONSTRUCTION SITE LOG BOOK

Table of Contents

Properly completing forms such as those contained in Appendix H meet the inspection requirement of NYS-DEC SPDES GP for Construction Activities. Completed forms shall be kept on site at all times and made available to authorities upon request.

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I. PRE-CONSTRUCTION MEETING DOCUMENTS
Project Name _____
Permit No. _____ Date of Authorization _____
Name of Operator _____
Prime Contractor _____

a. Preamble to Site Assessment and Inspections
The Following Information To Be Read By All Person's Involved in The Construction of Stormwater Related Activities:

The Operator agrees to have a qualified professional[1] conduct an assessment of the site prior to the commencement of construction[2] and certify in this inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.

Prior to the commencement of construction, the Operator shall certify in this site logbook that the SWPPP has been prepared in accordance with the State's standards and meets all Federal, State and local erosion and sediment control requirements.

When construction starts, site inspections shall be conducted by the qualified professional at least every 7 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater (Construction Duration Inspections). The Operator shall maintain a record of all inspection reports in this site logbook. The site logbook shall be maintained on site and be made available to the permitting authorities upon request. The Operator shall post at the site, in a publicly accessible location, a summary of the site inspection activities on a monthly basis (Monthly Summary Report).

The operator shall also prepare a written summary of compliance with this general permit at a minimum frequency of every three months (Operator's Compliance Response Form), while coverage exists. The summary should address the status of achieving each component of the SWPPP.

Prior to filing the Notice of Termination or the end of permit term, the Operator shall have a qualified professional perform a final site inspection. The qualified professional shall certify that the site has undergone final stabilization[3] using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed. In addition, the Operator must identify and certify that all permanent structures described in the SWPPP have been constructed and provide the owner(s) with an operation and maintenance plan that ensures the structure(s) continuously functions as designed.

1 "Qualified Professional means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a Certified Professional in Erosion and Sediment Control (CPESC), soil scientist, licensed engineer or someone working under the direction and supervision of a licensed engineer (person must have experience in the principles and practices of erosion and sediment control).

2 "Commencement of construction" means the initial removal of vegetation and disturbance of soils associated with clearing, grading or excavating activities or other construction activities.

3 "Final stabilization" means that all soil-disturbing activities at the site have been completed and a uniform, perennial vegetative cover with a density of eighty (80) percent has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed on all unpaved areas and areas not covered by permanent structures.

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b. Operators 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 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. Further, I hereby certify that the SWPPP meets all Federal, State, and local erosion and sediment control requirements. I am aware that false statements made herein are punishable as a class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Name (please print): _____

Title _____ **Date:** _____

Address: _____

Phone: _____ **Email:** _____

Signature: _____

c. Qualified Professional's Credentials & Certification

"I hereby certify that I meet the criteria set forth in the General Permit to conduct site inspections for this project and that the appropriate erosion and sediment controls described in the SWPPP and as described in the following Pre-construction Site Assessment Checklist have been adequately installed or implemented, ensuring the overall preparedness of this site for the commencement of construction."

Name (please print): _____

Title _____ **Date:** _____

Address: _____

Phone: _____ **Email:** _____

Signature: _____

d. Pre-construction Site Assessment Checklist
(NOTE: Provide comments below as necessary)

1. Notice of Intent, SWPPP, and Contractors Certification:

Yes No NA

[ ] [ ] [ ] Has a Notice of Intent been filed with the NYS Department of Conservation?
[ ] [ ] [ ] Is the SWPPP on-site? Where?_____
[ ] [ ] [ ] Is the Plan current? What is the latest revision date?_____
[ ] [ ] [ ] Is a copy of the NOI (with brief description) onsite? Where?_____
[ ] [ ] [ ] Have all contractors involved with stormwater related activities signed a contractor's certification?

2. Resource Protection

Yes No NA

[ ] [ ] [ ] Are construction limits clearly flagged or fenced?
[ ] [ ] [ ] Important trees and associated rooting zones, on-site septic system absorption fields, existing vegetated areas suitable for filter strips, especially in perimeter areas, have been flagged for protection.
[ ] [ ] [ ] Creek crossings installed prior to land-disturbing activity, including clearing and blasting.

3. Surface Water Protection

Yes No NA

[ ] [ ] [ ] Clean stormwater runoff has been diverted from areas to be disturbed.
[ ] [ ] [ ] Bodies of water located either on site or in the vicinity of the site have been identified and protected.
[ ] [ ] [ ] Appropriate practices to protect on-site or downstream surface water are installed.
[ ] [ ] [ ] Are clearing and grading operations divided into areas <5 acres?

4. Stabilized Construction Entrance

Yes No NA

[ ] [ ] [ ] A temporary construction entrance to capture mud and debris from construction vehicles before they enter the public highway has been installed.
[ ] [ ] [ ] Other access areas (entrances, construction routes, equipment parking areas) are stabilized immediately as work takes place with gravel or other cover.
[ ] [ ] [ ] Sediment tracked onto public streets is removed or cleaned on a regular basis.

5. Perimeter Sediment Controls

Yes No NA

[ ] [ ] [ ] Silt fence material and installation comply with the standard drawing and specifications.
[ ] [ ] [ ] Silt fences are installed at appropriate spacing intervals
[ ] [ ] [ ] Sediment/detention basin was installed as first land disturbing activity.
[ ] [ ] [ ] Sediment traps and barriers are installed.

6. Pollution Prevention for Waste and Hazardous Materials

Yes No NA

[ ] [ ] [ ] The Operator or designated representative has been assigned to implement the spill prevention avoidance and response plan.
[ ] [ ] [ ] The plan is contained in the SWPPP on page _____
[ ] [ ] [ ] Appropriate materials to control spills are onsite. Where? _____

II. CONSTRUCTION DURATION INSPECTIONS

a. Directions:
Inspection Forms will be filled out during the entire construction phase of the project.
Required Elements:

(1) On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period;

(2) Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;

(3) Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period;

(4) Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, 50 percent);

(5) Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps). Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching. Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water; and

(6) Immediately report to the Operator any deficiencies that are identified with the implementation of the SWPPP.

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Prepared by:
LaBella Associates
300 State Street
Suite 201
Rochester, NY 14614
(585) 454-6110

LaBella
Powered by partnership.

SWPP Inspection

PERFORMED: at 8 AM

ISSUED:

STATUS: Immediate Action Required

Corrective Actions

☐ All Erosion control measures are installed and in working order

☐ Corrective actions required

Notes:

☐ Immediate Action Required: Overdue corrective actions may result in fines from the NYSDEC in the amount of $37,500/day/violation.

Notes:

Weather Conditions

Temperature:	˚F	**Weather:**	
Soil Conditions:			

Area of Disturbance

YES	NO	
☐	☐	Are all disturbances within the limits of the SWPPP?
		Total area of disturbance?

Permit Required Reporting

- Describe the condition of runoff at all points of discharge.
- Provide a description of the conditions of all natural water bodies within or immediately adjacent to the project.

Overall Site Conditions

YES	NO	N/A	
☐	☐	☐	No visible increase in turbidity causing a substantial contrast to natural conditions?
☐	☐	☐	There is not residue from oil and floating substances, visible oil film, or globules or grease?
☐	☐	☐	There is no evidence of silt deposition from project in a stream, wetland, or other water body?

Comments:

Notice of Intent, SWPPP, and Contractor's Certification

YES	NO	N/A	
☐	☐	☐	Has a notice of Intent been filed with the NYS Department of Environmental Conservation?
☐	☐	☐	Is a copy of the NOI and NOI Acknowledgement letter on site and accessible?
☐	☐	☐	Is there a signed SWPPP on Site? Where?
☐	☐	☐	Is there a copy of the MS4 SWPPP Acceptance Form available on site and accessible?
☐	☐	☐	Does the SWPPP identify the contractor and subcontractor(s) responsible for each measure?
☐	☐	☐	Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?
☐	☐	☐	Does the SWPPP include all the necessary contractor certification statements and signatures?
☐	☐	☐	Is a copy of the SPDES General Permit retained on site?
☐	☐	☐	Is there greater than 5 acres of disturbance? Has written authorization been issued and is it accessible for viewing and in compliance with 5 acre requirements?

Comments:

General Site Conditions

YES	NO	N/A	
☐	☐	☐	Are adjoining properties and downstream waterways adequately protected from erosion and sediment deposition due to stormwater runoff from the site?
☐	☐	☐	Have all erosion and sediment control measures been installed/constructed as detailed in the SWPPP including perimeter control measures?
☐	☐	☐	Is dust adequately controlled?

YES	NO	N/A	
☐	☐	☐	Are equipment and material storage areas free of spills, leaks and other harmful materials?
☐	☐	☐	Are garbage and waste building materials being controlled/managed properly?
☐	☐	☐	Have all temporary control measures that are no longer needed been removed?
☐	☐	☐	Have all permanent stormwater management structures been installed/constructed according to plans?

Comments:

Runoff Conveyance Systems

YES	NO	N/A	
☐	☐	☐	Are all runoff conveyance systems called for in the SWPPP installed, stabilized and working?
☐	☐	☐	With minimum side slopes 2H:1V or flatter? Stabilized by geotextile fabric, seed, or mulch with no erosion occurring? Sediment-laden runoff directed to sediment trapping structure?
☐	☐	☐	Sediment-laden runoff directed to sediment trapping structure?

Comments:

Runoff Control Structures

YES	NO	N/A	
☐	☐	☐	Have all required runoff control structures (rock outlets and aprons) been installed and constructed per plan and according to the Blue Book?
☐	☐	☐	Installed concurrently with pipe installation?

Comments:

Temporary Stream or Channel Crossing

YES	NO	N/A	
☐	☐	☐	Have construction crossings at concentrated flow areas been culverted?

Comments:

Stone Check Dam

YES	NO	N/A	
☐	☐	☐	Installed per standards?
☐	☐	☐	Is Check dam in good condition (rocks in place and lined with geotextile fabric)?
☐	☐	☐	Sediment does not need to be removed?

Comments:

Excavation Dewatering

YES	NO	N/A	
☐	☐	☐	Upstream berm (sandbags, inflatable dams, etc. with one-foot minimum freeboard) and downstream berms are installed per plan? And functioning? (clean water from upstream pool is being pumped to the downstream pool)?
☐	☐	☐	Is sediment laden water from work area being discharged to a silt-trapping device?
☐	☐	☐	Is groundwater from excavations being managed properly (sumps and sediment control)?

Comments:

Top Soil and Stockpiles

YES	NO	N/A	
☐	☐	☐	Stabilized - sediment controls at downhill slope?

Comments:

Revegetation/Stabilization

YES	NO	N/A	
☐	☐	☐	Has temporary or permanent seeding and mulch been applied to areas that have been inactive for 14 days or less (or, inactive for 7 days if over 5 acres disturbed)?
☐	☐	☐	Has soil preparation been applied as specified in the SWPPP and in accordance with the Blue Book (Assure that all the necessary soil testing/fertilizer/lime, topsoil, decompaction has been applied)?
☐	☐	☐	Have rolled erosion control products specified for steep slopes or channels been installed?

Comments:

Stabilized Construction Entrance

YES	NO	N/A	
☐	☐	☐	A temporary construction entrance to capture debris from vehicles before they enter public roads has been installed according to NYS standards?
☐	☐	☐	Other access areas are stabilized immediately as work takes place with gravel or other cover?
☐	☐	☐	Tracking onto public streets is minimized and cleaned daily?
☐	☐	☐	Stone is clean enough to effectively remove mud from vehicles?
☐	☐	☐	Is adequate drainage provided to prevent ponding at entrance?

Comments:

Silt Fence

YES	NO	N/A	
☐	☐	☐	Installed on contour?
☐	☐	☐	Not across conveyance channels?
☐	☐	☐	At least 1[illegible] feet [illegible] of [illegible]
☐	☐	☐	At appropriate spacing intervals based on slope?
☐	☐	☐	Wrapped ends for continuous support?
☐	☐	☐	Fabric is tight, without rips or frayed areas?
☐	☐	☐	Posts are stable?
☐	☐	☐	Buried 6 inches minimum?
☐	☐	☐	No bulges?

Comments:

Compost Filter Sock

YES	NO	N/A	
☐	☐	☐	Installed on contour?
☐	☐	☐	Terminal ends extended 8' upslope (at 45˚ angle)?
☐	☐	☐	Anchored at 10' intervals?
☐	☐	☐	Less than 50% sediment built up?

Comments:

YES	NO	N/A	Compost Filter Sock
☐	☐	☐	Is outlet structure constructed properly?
☐	☐	☐	Geotextile fabric has been placed beneath rock fill?
☐	☐	☐	Maintenance – depth of sediment in basin?
☐	☐	☐	Less than 50% capacity built up?

Comments:

YES	NO	N/A	Temporary Sediment Basin
☐	☐	☐	Is basin and outlet structure constructed per the approved plan?
☐	☐	☐	Are basin side slopes stabilized with seed/mulch?
☐	☐	☐	Maintenance – depth of sediment in basin?
☐	☐	☐	Less than 50% capacity built up?

Comments:

YES	NO	N/A	Drop Inlet Protection
☐	☐	☐	Type(s) of inlet control?
☐	☐	☐	Installed per Blue Book specifications: drainage area (typically 1 acre)? Appropriate for location?
☐	☐	☐	Has sediment been removed when 50% of storage volume has been achieved?

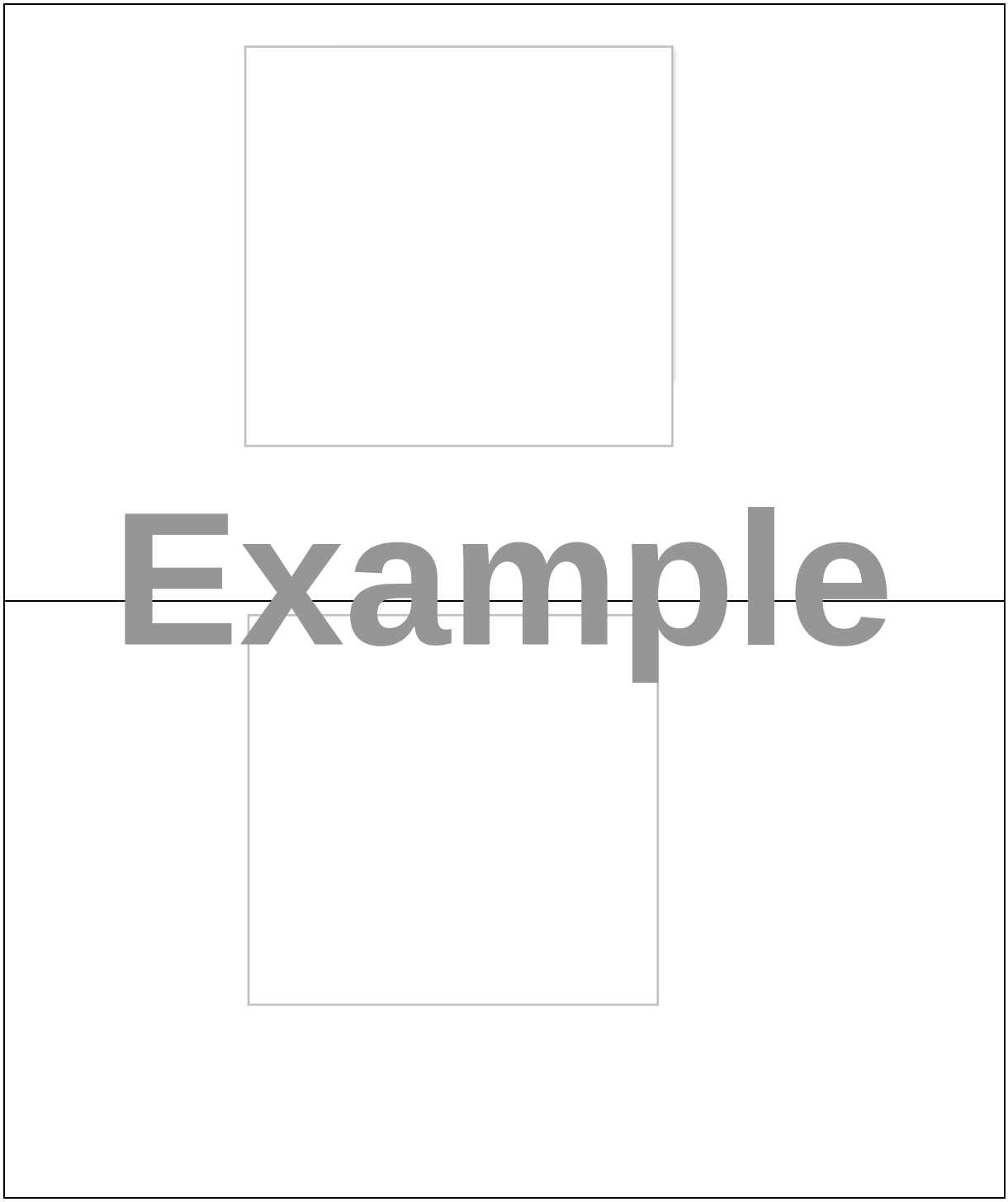
Comments:

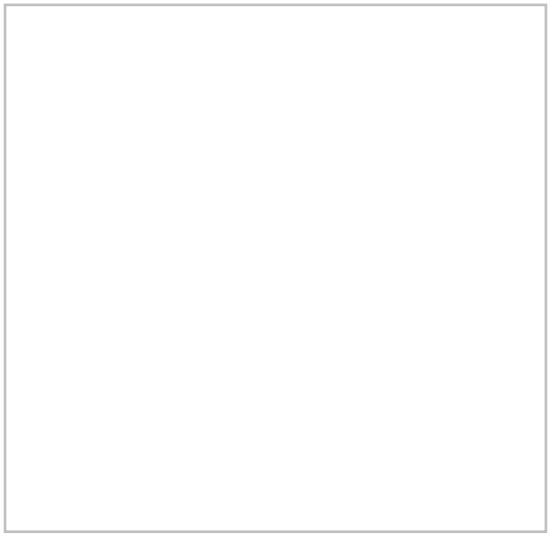
YES	NO	N/A	Fabric Drop Inlet Protection
☐	☐	☐	Is there an installed 2” x 4” wood frame and wood posts, with maximum 3’ spacing?
☐	☐	☐	Is filter fabric buried a minimum of 1 to 1.5 feet below ground and secured to frame/posts?
☐	☐	☐	Are posts stable, fabric is tight and without rips or frayed areas?

Inspection Notes

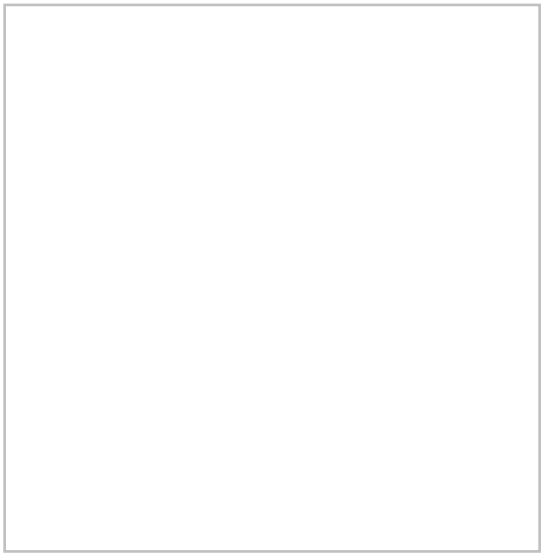
Example

Digital Color Photographs of Deficient BMP's



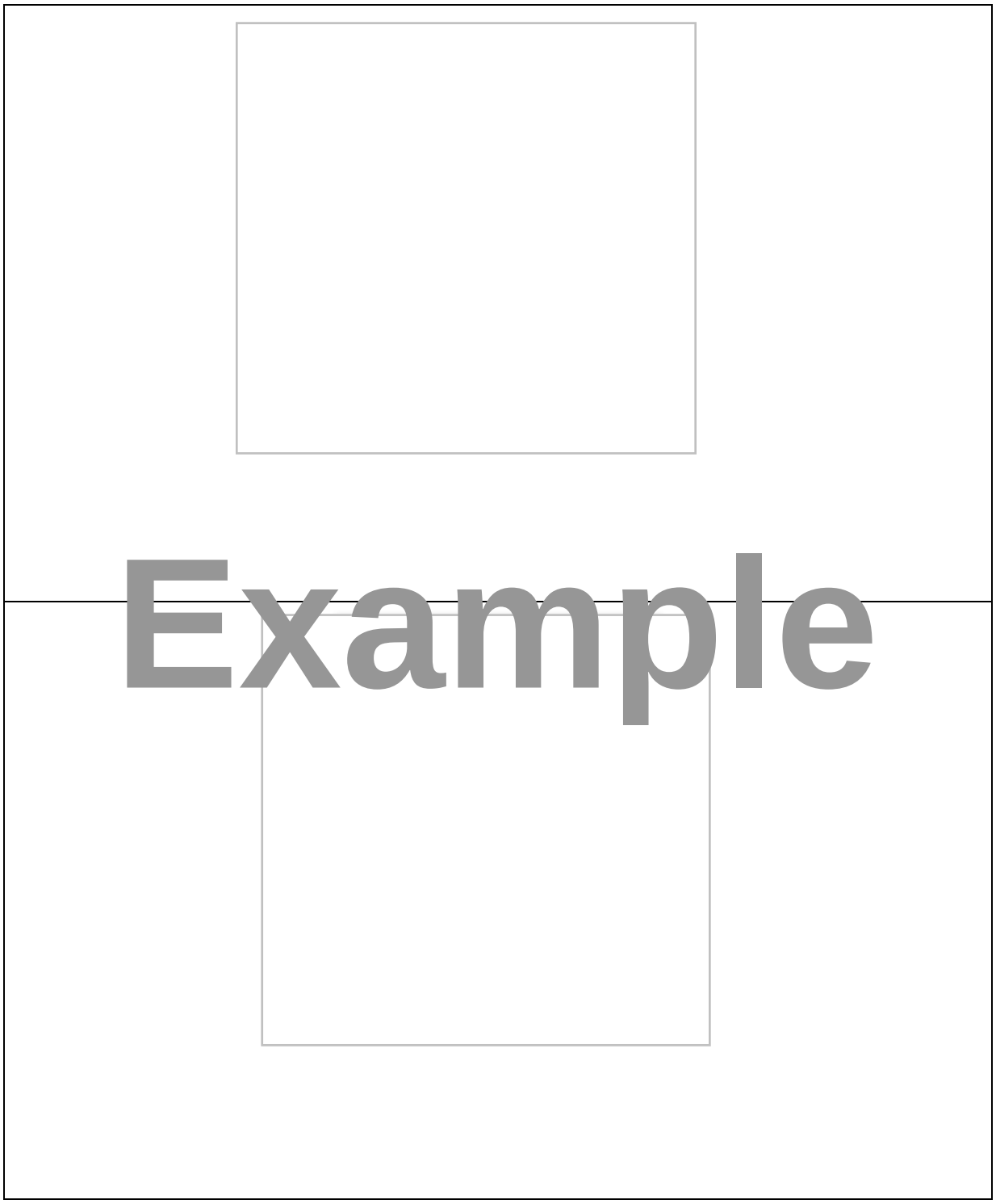


Example



Example

Digital Color Photographs of BMP's that have been corrected



PART II - SIGNATURES

GP-0-15-002 Part VII.Q

Articles 175 and 210 of the New York State Penal Law provide for Criminal penalty of a fine and/or imprisonment for falsifying forms and reports required by this permit.

Qualified Inspector (print name) _____ Date of Inspection _____

_____

Signature

The above signed acknowledges that, to the best of his/her knowledge, all information provided on the forms is accurate and complete.

Title: Civil Engineer Address: 300 State St. Rochester NY 14614

Phone: _____ Email: _____@labella.com

Stormwater Training Number for *Trained Individuals*:

CPESC, P.E. or L.A. Supervisor Name for *Trained Individuals*:

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III. Monthly Summary of Site Inspection Activities

Name of Permitted Facility:	Today's Date:	Reporting Month:
Location:	Permit Identification #:	
Name and Telephone Number of Site Inspector:		

Date of Inspection	Regular / Rainfall based Inspection	Name of Inspector	Items of Concern

Owner/Operator 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 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 false statements made herein are punishable as a class A misdemeanor pursuant to Section 210.45 of the Penal Law."

Signature of Permittee or Duly Authorized Representative

Name of Permittee or Duly Authorized Representative Date

Duly authorized representatives must have written authorization, submitted to DEC, to sign any permit documents.

APPENDIX E:
OPERATION AND MAINTENANCE REQUIREMENTS

Maintenance Recommendations

STANDARD AND SPECIFICATIONS FOR CHECK DAM

Definition & Scope

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

Conditions Where Practice Applies

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

Design Criteria

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

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

Side Slopes: Shall be 2:1 or flatter.

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

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

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

Example:

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

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

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

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

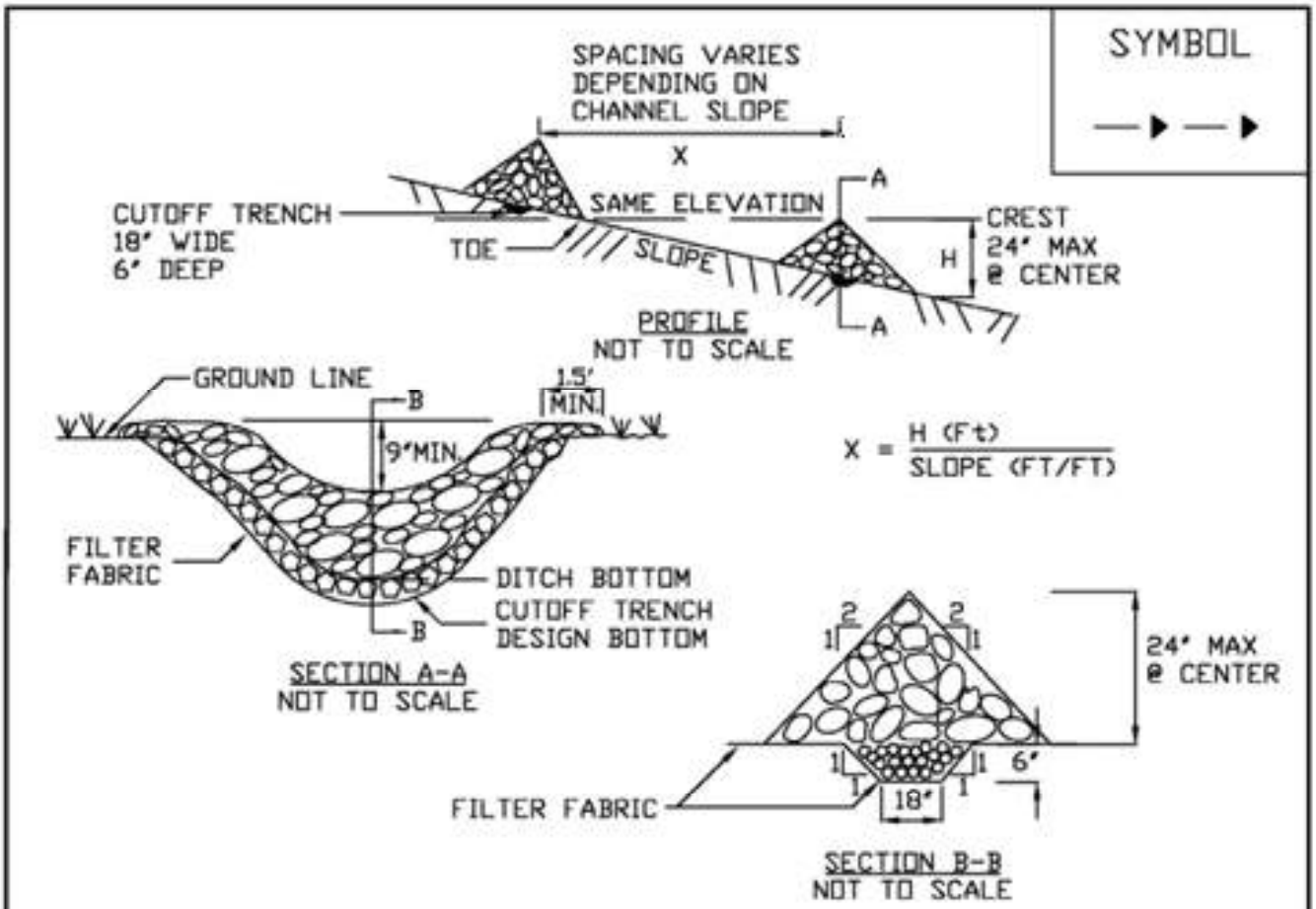
For filter sock or fiber roll check dams: The check dams will be anchored by staking the dam to the earth contact surface. The dam will extend to the top of the bank. The check dam will have a splash apron of NYS DOT #2 crushed stone extending a minimum 3 feet downstream from the dam and 1 foot up the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

Maintenance

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

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

Figure 3.1
Stone Check Dam Detail



CONSTRUCTION SPECIFICATIONS

1. STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES AND LOCATIONS SHOWN IN THE PLAN.
2. SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
3. EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
4. PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
5. ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.

MAXIMUM DRAINAGE AREA 2 ACRES.

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

STONE CHECK DAM

STANDARD AND SPECIFICATIONS FOR CONCRETE TRUCK WASHOUT

Definition & Scope

A temporary excavated or above ground lined constructed pit where concrete truck mixers and equipment can be washed after their loads have been discharged, to prevent highly alkaline runoff from entering storm drainage systems or leaching into soil.

Conditions Where Practice Applies

Washout facilities shall be provided for every project where concrete will be poured or otherwise formed on the site. This facility will receive highly alkaline wash water from the cleaning of chutes, mixers, hoppers, vibrators, placing equipment, trowels, and screeds. Under no circumstances will wash water from these operations be allowed to infiltrate into the soil or enter surface waters.

Design Criteria

Capacity: The washout facility should be sized to contain solids, wash water, and rainfall and sized to allow for the evaporation of the wash water and rainfall. Wash water shall be estimated at 7 gallons per chute and 50 gallons per hopper of the concrete pump truck and/or discharging drum. The minimum size shall be 8 feet by 8 feet at the bottom and 2 feet deep. If excavated, the side slopes shall be 2 horizontal to 1 vertical.

Location: Locate the facility a minimum of 100 feet from drainage swales, storm drain inlets, wetlands, streams and other surface waters. Prevent surface water from entering the structure except for the access road. Provide appropriate access with a gravel access road sloped down to the structure. Signs shall be placed to direct drivers to the facility after their load is discharged.

Liner: All washout facilities will be lined to prevent leaching of liquids into the ground. The liner shall be plastic sheeting with a minimum thickness of 10 mils with no holes or tears, and anchored beyond the top of the pit with an earthen berm, sand bags, stone, or other structural appurtenance except at the access point.

If pre-fabricated washouts are used they must ensure the capture and containment of the concrete wash and be sized based on the expected frequency of concrete pours. They shall be sited as noted in the location criteria.

Maintenance

- All concrete washout facilities shall be inspected daily. Damaged or leaking facilities shall be deactivated and repaired or replaced immediately. Excess rainwater that has accumulated over hardened concrete should be pumped to a stabilized area, such as a grass filter strip.
- Accumulated hardened material shall be removed when 75% of the storage capacity of the structure is filled. Any excess wash water shall be pumped into a containment vessel and properly disposed of off site.
- Dispose of the hardened material off-site in a construction/demolition landfill. On-site disposal may be allowed if this has been approved and accepted as part of the projects SWPPP. In that case, the material should be recycled as specified, or buried and covered with a minimum of 2 feet of clean compacted earthfill that is permanently stabilized to prevent erosion.
- The plastic liner shall be replaced with each cleaning of the washout facility.
- Inspect the project site frequently to ensure that no concrete discharges are taking place in non-designated areas.

STANDARD AND SPECIFICATIONS FOR STABILIZED CONSTRUCTION ACCESS

Definition & Scope

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

Conditions Where Practice Applies

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

Design Criteria

See Figure 2.1 on page 2.31 for details.

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

Thickness: Not less than six (6) inches.

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

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

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

Criteria for Geotextile: The geotextile shall be woven or nonwoven fabric consisting only of continuous chain polymeric filaments or yarns of polyester. The fabric shall be inert to commonly encountered chemicals, hydro-carbons, mildew, rot resistant, and conform to the fabric properties as shown:

Fabric Properties[3]	Light Duty[1] Roads Grade Subgrade	Heavy Duty[2] Haul Roads Rough Graded	Test Method
Grab Tensile Strength (lbs)	200	220	ASTM D1682
Elongation at Failure (%)	50	60	ASTM D1682
Mullen Burst Strength (lbs)	190	430	ASTM D3786
Puncture Strength (lbs)	40	125	ASTM D751 Modified
Equivalent	40-80	40-80	US Std Sieve
Opening Size			CW-02215
Aggregate Depth	6	10	-

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

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

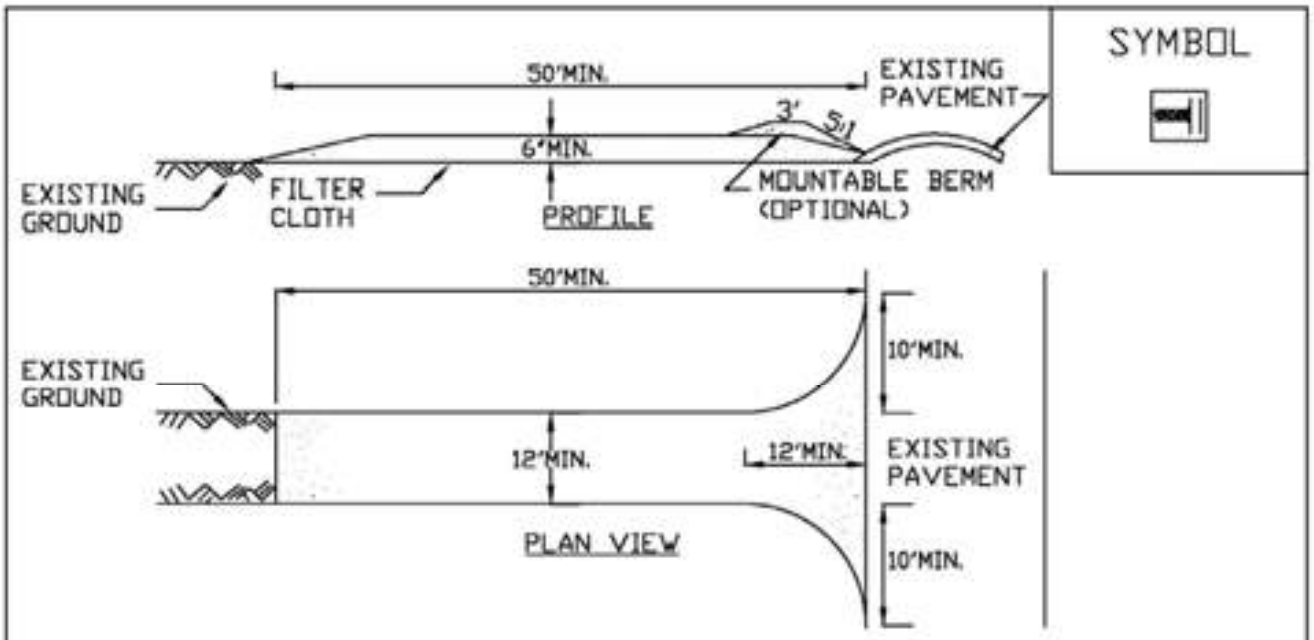
[3]Fabrics not meeting these specifications may be used only when design procedure and supporting documentation are supplied to determine aggregate depth and fabric strength.

Maintenance

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

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

Figure 2.1
Stabilized Construction Access



CONSTRUCTION SPECIFICATIONS

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

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

STABILIZED CONSTRUCTION ACCESS

STANDARD AND SPECIFICATIONS FOR CONSTRUCTION ROAD STABILIZATION

Definition & Scope

The stabilization of temporary construction access routes, on-site vehicle transportation routes, and construction parking areas to control erosion on temporary construction routes and parking areas.

Conditions Where Practice Applies

All traffic routes and parking areas for temporary use by construction traffic.

Design Criteria

Construction roads should be located to reduce erosion potential, minimize impact on existing site resources, and maintain operations in a safe manner. Highly erosive soils, wet or rocky areas, and steep slopes should be avoided. Roads should be routed where seasonal water tables are deeper than 18 inches. Surface runoff and control should be in accordance with other standards.

Road Grade – A maximum grade of 12% is recommended, although grades up to 15% are possible for short distances.

Road Width – 12 foot minimum for one-way traffic or 24 foot minimum for two-way traffic.

Side Slope of Road Embankment – 2:1 or flatter.

Ditch Capacity – On-site roadside ditch and culvert capacities shall be the 10 yr. peak runoff.

Composition – Use a 6-inch layer of NYS DOT sub-base Types 1,2,3, 4 or equivalent as specified in NYSDOT Standard Specifications.

Construction Specifications

1. Clear and strip roadbed and parking areas of all vegetation, roots, and other objectionable material.

2. Locate parking areas on naturally flat areas as available. Keep grades sufficient for drainage, but not more than 2 to 3 percent.

3. Provide surface drainage and divert excess runoff to stabilized areas.

4. Maintain cut and fill slopes to 2:1 or flatter and stabilized with vegetation as soon as grading is accomplished.

5. Spread 6-inch layer of sub-base material evenly over the full width of the road and smooth to avoid depressions.

6. Provide appropriate sediment control measures to prevent offsite sedimentation.

Maintenance

Inspect construction roads and parking areas periodically for condition of surface. Top dress with new gravel as needed. Check ditches for erosion and sedimentation after rainfall events. Maintain vegetation in a healthy, vigorous condition. Areas producing sediment should be treated immediately.

STANDARD AND SPECIFICATIONS FOR DUST CONTROL

Definition & Scope

The control of dust resulting from land-disturbing activities, to prevent surface and air movement of dust from disturbed soil surfaces that may cause off-site damage, health hazards, and traffic safety problems.

Conditions Where Practice Applies

On construction roads, access points, and other disturbed areas subject to surface dust movement and dust blowing where off-site damage may occur if dust is not controlled.

Design Criteria

Construction operations should be scheduled to minimize the amount of area disturbed at one time. Buffer areas of vegetation should be left where practical. Temporary or permanent stabilization measures shall be installed. No specific design criteria is given; see construction specifications below for common methods of dust control.

Water quality must be considered when materials are selected for dust control. Where there is a potential for the material to wash off to a stream, ingredient information must be provided to the NYSDEC.

No polymer application shall take place without written approval from the NYSDEC.

Construction Specifications

A. **Non-driving Areas** – These areas use products and materials applied or placed on soil surfaces to prevent airborne migration of soil particles.

Vegetative Cover – For disturbed areas not subject to traffic, vegetation provides the most practical method of dust control (see Section 3).

Mulch (including gravel mulch) – Mulch offers a fast effective means of controlling dust. This can also include rolled erosion control blankets.

Spray adhesives – These are products generally composed of polymers in a liquid or solid form that are mixed with water to form an emulsion that is sprayed on the soil surface with typical hydroseeding equipment. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations for the specific soils on the site. In no case should the application of these adhesives be made on wet soils or if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators and others working with the material.

B. **Driving Areas** – These areas utilize water, polymer emulsions, and barriers to prevent dust movement from the traffic surface into the air.

Sprinkling – The site may be sprayed with water until the surface is wet. This is especially effective on haul roads and access route to provide short term limited dust control.

Polymer Additives – These polymers are mixed with water and applied to the driving surface by a water truck with a gravity feed drip bar, spray bar or automated distributor truck. The mixing ratios and application rates will be in accordance with the manufacturer's recommendations. Incorporation of the emulsion into the soil will be done to the appropriate depth based on expected traffic. Compaction after incorporation will be by vibratory roller to a minimum of 95%. The prepared surface shall be moist and no application of the polymer will be made if there is a probability of precipitation within 48 hours of its proposed use. Material Safety Data Sheets will be provided to all applicators working with the material.

Barriers – Woven geo-textiles can be placed on the driving surface to effectively reduce dust throw and particle migration on haul roads. Stone can also be used for construction roads for effective dust control.

Windbreak – A silt fence or similar barrier can control air currents at intervals equal to ten times the barrier height. Preserve existing wind barrier vegetation as much as practical.

Maintenance

Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.

STANDARD AND SPECIFICATIONS FOR FERTILIZER APPLICATION

Definition & Scope

The **permanent** incorporation of fertilizer into the planting zone of the soil profile to provide nutrient amendments to the soil for vigorous support to plant and vegetation growth.

Conditions Where Practice Applies

This standard applies to all areas where permanent seeding, sodding, and plant establishment is required. All application of fertilizer shall be in accordance with Nutrient Runoff Law - ECL Article 17, Title 21. Phosphorus runoff poses a threat to water quality. Therefore, under New York Law, fertilizer containing phosphorus may only be applied to lawn or non-agricultural turf when:

1. A soil test indicates that additional phosphorus is needed for growth of that lawn or non-agricultural turf, or

2. The fertilizer is used for newly established lawn or non -agricultural turf during the first growing season.

For projects located within watersheds where enhanced phosphorus removal standards are required as part of its post-construction stormwater management plan, use of any fertilizer containing more than 0.67 percent phosphate ($P_2 0_5$) content will be done only with a valid soil test demonstrating the need for that formulation.

Design Criteria

Fertilizer is sold with an analysis printed on the tag or bag shown as three numbers separated by a dash, such as 5-10-5. The first number is the percent of the total weight of the bag that is nitrogen (N), the second is the percent of phosphate (phosphorus, P), and the third is the percent of potash (potassium, K). Other elements are sometimes included and are listed with these three basic components.

For example a 40 lb bag of 5-10-5 fertilizer contains 5% of 40 lbs of Nitrogen which equals 2 lbs. There is 10% of 40 lbs of phosphate (phosphorus) which equals 4 lbs, and there is 5% of potash (potassium), another 2 lbs., for a total of 8 lbs of active fertilizer in the 40 lb bag. The rest is filler to aid in spreading the material over the area to be treated.

Specify the design fertilizer mix and application rates based on the results of the soil tests.

Specifications

1. In no case shall fertilizer be applied between December 1 and April 1 annually.

2. Fertilizer shall not be spread within 20 feet of a surface water.

3. Any fertilizer falling or spilled into impervious surface areas such as parking lots, roadways, and sidewalks should be immediately contained and legally applied or placed in an appropriate container.

4. Incorporate the fertilizer, and lime if specified, into the top 2-4 inches of the topsoil or soil profile.

5. When applying fertilizer by hydro seeding care should be taken to apply mix only to seed bed areas at an appropriate flow rate to prevent erosion and spraying onto impervious areas.

STANDARD AND SPECIFICATIONS FOR LANDGRADING

Definition & Scope

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

Design Criteria

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

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

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

1. Provisions shall be made to safely convey surface runoff to storm drains, protected outlets, or to stable water courses to ensure that surface runoff will not damage slopes or other graded areas; see standards and specifications for Grassed Waterway, Diversion, or Grade Stabilization Structure.

2. Cut and fill slopes that are to be stabilized with grasses shall not be steeper than 2:1. When slopes exceed 2:1, special design and stabilization consideration are required and shall be adequately shown on the plans. (Note: Where the slope is to be mowed, the slope should be no steeper than 3:1, although 4:1 is preferred because of safety factors related to mowing steep slopes.)

3. Reverse slope benches or diversion shall be provided whenever the vertical interval (height) of any 2:1 slope exceeds 20 feet; for 3:1 slope it shall be increased to 30 feet and for 4:1 to 40 feet. Benches shall be located to divide the slope face as equally as possible and shall convey the water to a stable outlet. Soils, seeps, rock outcrops, etc., shall also be taken into consideration when designing benches.

   A. Benches shall be a minimum of six feet wide to provide for ease of maintenance.

   B. Benches shall be designed with a reverse slope of 6:1 or flatter to the toe of the upper slope and with a minimum of one foot in depth. Bench gradient to the outlet shall be between 2 percent and 3 percent, unless accompanied by appropriate design and computations.

   C. The flow length within a bench shall not exceed 800 feet unless accompanied by appropriate design and computations; see Standard and Specifications for Diversion on page 3.9

4. Surface water shall be diverted from the face of all cut and/or fill slopes by the use of diversions, ditches and swales or conveyed downslope by the use of a designed structure, except where:

   A. The face of the slope is or shall be stabilized and the face of all graded slopes shall be protected from surface runoff until they are stabilized.

   B. The face of the slope shall not be subject to any concentrated flows of surface water such as from natural drainage ways, graded ditches, downspouts, etc.

   C. The face of the slope will be protected by anchored stabilization matting, sod, gravel, riprap, or other stabilization method.

5. Cut slopes occurring in ripable rock shall be serrated as shown in Figure 4.9 on page 4.26. The serrations shall be made with conventional equipment as the excavation is made. Each step or serration shall be constructed on the contour and will have steps cut at nominal two-foot intervals with nominal three-foot horizontal shelves. These steps will vary depending on the slope ratio or the cut slope. The nominal slope line is 1 ½: 1. These steps will weather and act to hold moisture, lime, fertilizer, and seed thus producing a much quicker and longer-lived vegetative cover and better slope stabilization. Overland flow shall be diverted from the top of all serrated cut slopes and carried to a suitable outlet.

6. Subsurface drainage shall be provided where necessary to intercept seepage that would otherwise adversely affect slope stability or create excessively wet site conditions.

7. Slopes shall not be created so close to property lines as to endanger adjoining properties without adequately protecting such properties against sedimentation, erosion, slippage, settlement, subsidence, or other related damages.

8. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. It should be free of stones over two (2) inches in diameter where compacted by hand or mechanical tampers or over eight (8) inches in diameter where compacted by rollers or other equipment. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.

9. Stockpiles, borrow areas, and spoil shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

10. All disturbed areas shall be stabilized structurally or vegetatively in compliance with the Permanent Construction Area Planting Standard on page 4.42.

Construction Specifications

See Figures 4.9 and 4.10 for details.

1. All graded or disturbed areas, including slopes, shall be protected during clearing and construction in accordance with the erosion and sediment control plan until they are adequately stabilized.

2. All erosion and sediment control practices and measures shall be constructed, applied and maintained in accordance with the erosion and sediment control plan and these standards.

3. Topsoil required for the establishment of vegetation shall be stockpiled in amount necessary to complete finished grading of all exposed areas.

4. Areas to be filled shall be cleared, grubbed, and stripped of topsoil to remove trees, vegetation, roots, or other objectionable material.

5. Areas that are to be topsoiled shall be scarified to a minimum depth of four inches prior to placement of topsoil.

6. All fills shall be compacted as required to reduce erosion, slippage, settlement, subsidence, or other related problems. Fill intended to support buildings, structures, and conduits, etc., shall be compacted in accordance with local requirements or codes.

7. All fill shall be placed and compacted in layers not to exceed 9 inches in thickness.

8. Except for approved landfills or nonstructural fills, fill material shall be free of frozen particles, brush, roots, sod, or other foreign objectionable materials that would interfere with, or prevent, construction of satisfactory fills.

9. Frozen material or soft, mucky or highly compressible materials shall not be incorporated into fill slopes or structural fills.

10. Fill shall not be placed on saturated or frozen surfaces.

11. All benches shall be kept free of sediment during all phases of development.

12. Seeps or springs encountered during construction shall be handled in accordance with the Standard and Specification for Subsurface Drain on page 3.48 or other approved methods.

13. All graded areas shall be permanently stabilized immediately following finished grading.

14. Stockpiles, borrow areas, and spoil areas shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

Figure 4.9
Typical Section of Serrated Cut Slope

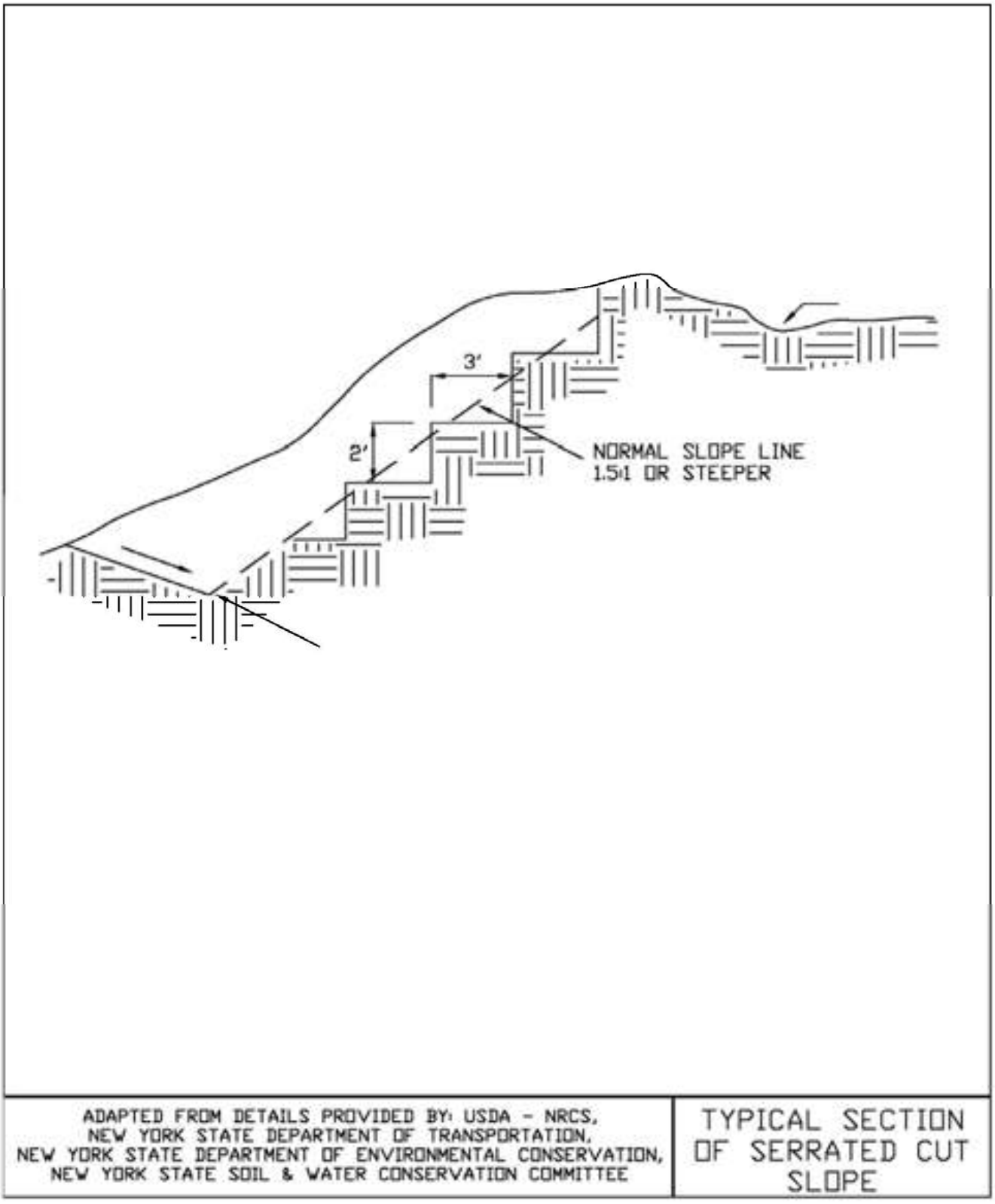


Figure 4.10
Landgrading

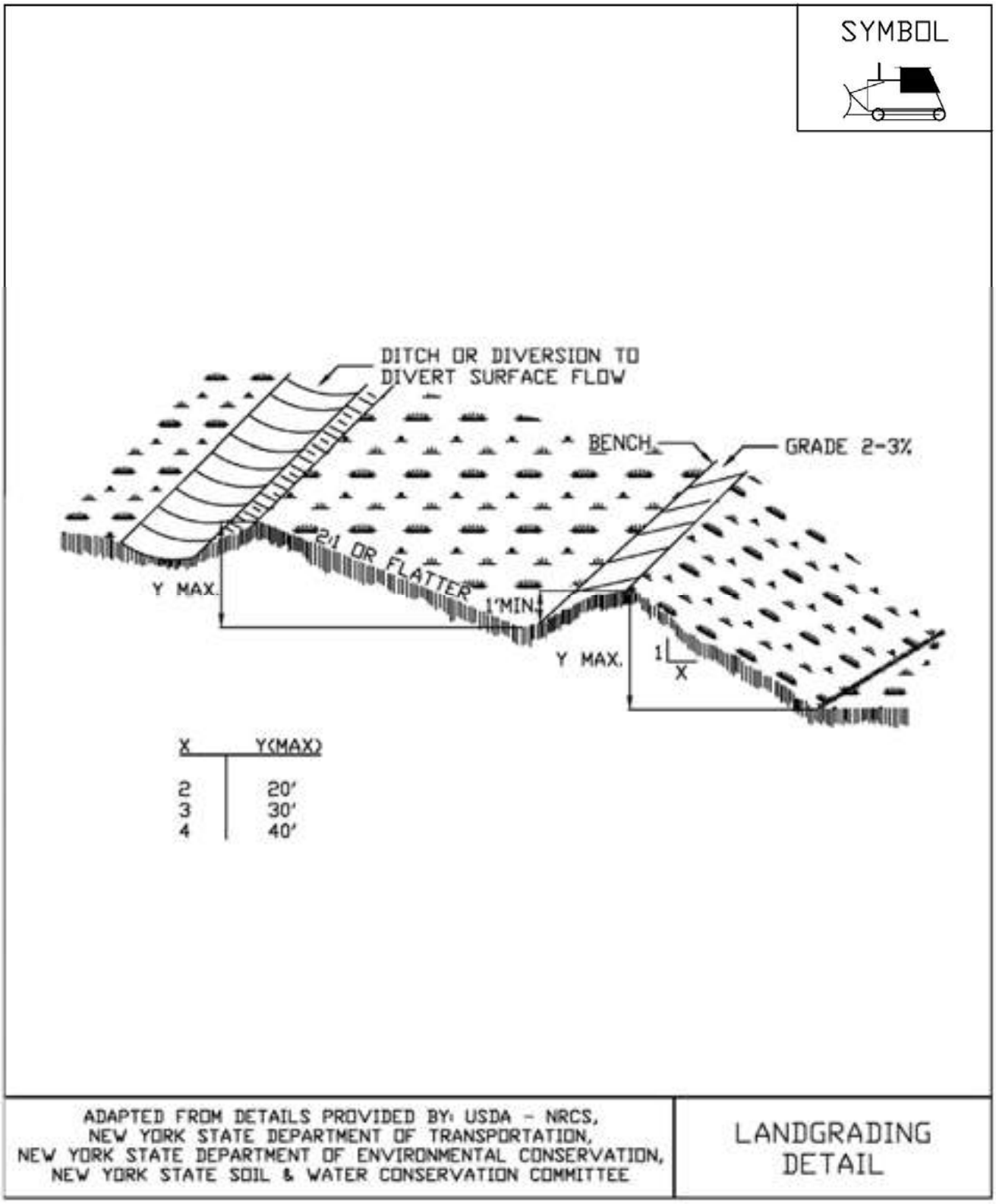


Figure 4.11
Landgrading - Construction Specifications

CONSTRUCTION SPECIFICATIONS

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

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

LANDGRADING SPECIFICATIONS

STANDARD AND SPECIFICATIONS FOR MULCHING

Definition and Scope

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

Conditions Where Practice Applies

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

Criteria

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

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

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

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

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

Select appropriate mulch anchoring material.

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

Table 4.2
Guide to Mulch Materials, Rates, and Uses

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

Table 4.3
Mulch Anchoring Guide

Anchoring Method or Material	Kind of Mulch to be Anchored	How to Apply
1. Peg and Twine	Hay or straw	After mulching, divide areas into blocks approximately 1 sq. yd. in size. Drive 4-6 pegs per block to within 2" to 3" of soil surface. Secure mulch to surface by stretching twine between pegs in criss-cross pattern on each block. Secure twine around each peg with 2 or more tight turns. Drive pegs flush with soil. Driving stakes into ground tightens the twine.
2. Mulch netting	Hay or straw	Staple the light-weight paper, jute, wood fiber, or plastic nettings to soil surface according to manufacturer's recommendations. Should be biodegradable. Most products are not suitable for foot traffic.
3. Wood cellulose fiber	Hay or straw	Apply with hydroseeder immediately after mulching. Use 500 lbs. wood fiber per acre. Some products contain an adhesive material ("tackifier"), possibly advantageous.
4. Mulch anchoring tool	Hay or straw	Apply mulch and pull a mulch anchoring tool (blunt, straight discs) over mulch as near to the contour as possible. Mulch material should be "tucked" into soil surface about 3".
5. Tackifier	Hay or straw	Mix and apply polymeric and gum tackifiers according to manufacturer's instructions. Avoid application during rain. A 24-hour curing period and a soil temperature higher than 45^0 Fahrenheit are required.

MAINTENANCE RECOMMENDATIONS

STORM WATER PERMANENT STABILIZATION

VEGETATIVE COVER, DITCHES, WATER BARS OR SWALES

- Waterways shall not be used as roadways.
- If rills or ruts develop prompt attention is required to avoid further erosion and gullies. Add topsoil, fine grade, seed and mulch to establish new grassed cover.
- Inspect grassed areas for soil subsidence or ponding. Maintain uniform slopes to provide positive drainage. Repair low areas by adding topsoil, fine grading, seeding and mulching to establish new finish grade and grassed cover
- Remove sediment from waterbars when sediment reaches a depth of 3".
- Fertilize and mow as needed to maintain vegetative cover.

STANDARD AND SPECIFICATIONS FOR SILT FENCE

Definition & Scope

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

Conditions Where Practice Applies

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

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

Design Criteria

1. Design computations are not required for installations of 1 month or less. Longer installation periods should be designed for expected runoff.
2. All silt fences shall be placed as close to the disturbed area as possible, but at least 10 feet from the toe of a slope steeper than 3H:1V, to allow for maintenance and roll down. The area beyond the fence must be undisturbed or stabilized.
3. The type of silt fence specified for each location on the plan shall not exceed the maximum slope length and maximum fence length requirements shown in the following table:

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

Standard Silt Fence (SF) is fabric rolls stapled to wooden stakes driven 16 inches in the ground.
Reinforced Silt Fence (RSF) is fabric placed against welded wire fabric with anchored steel posts driven 16 inches in the ground.
Super Silt Fence (SSF) is fabric placed against chain link fence as support backing with posts driven 3 feet in the ground.

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

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

Criteria for Silt Fence Materials

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

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

2. Fence Posts (for fabricated units): The length shall be a minimum of 36 inches long. Wood posts will be of sound quality hardwood with a minimum cross sectional area of 3.5 square inches. Steel posts will be standard T and U section weighing not less than 1.00 pound per linear foot. Posts for super silt fence shall be standard chain link fence posts.

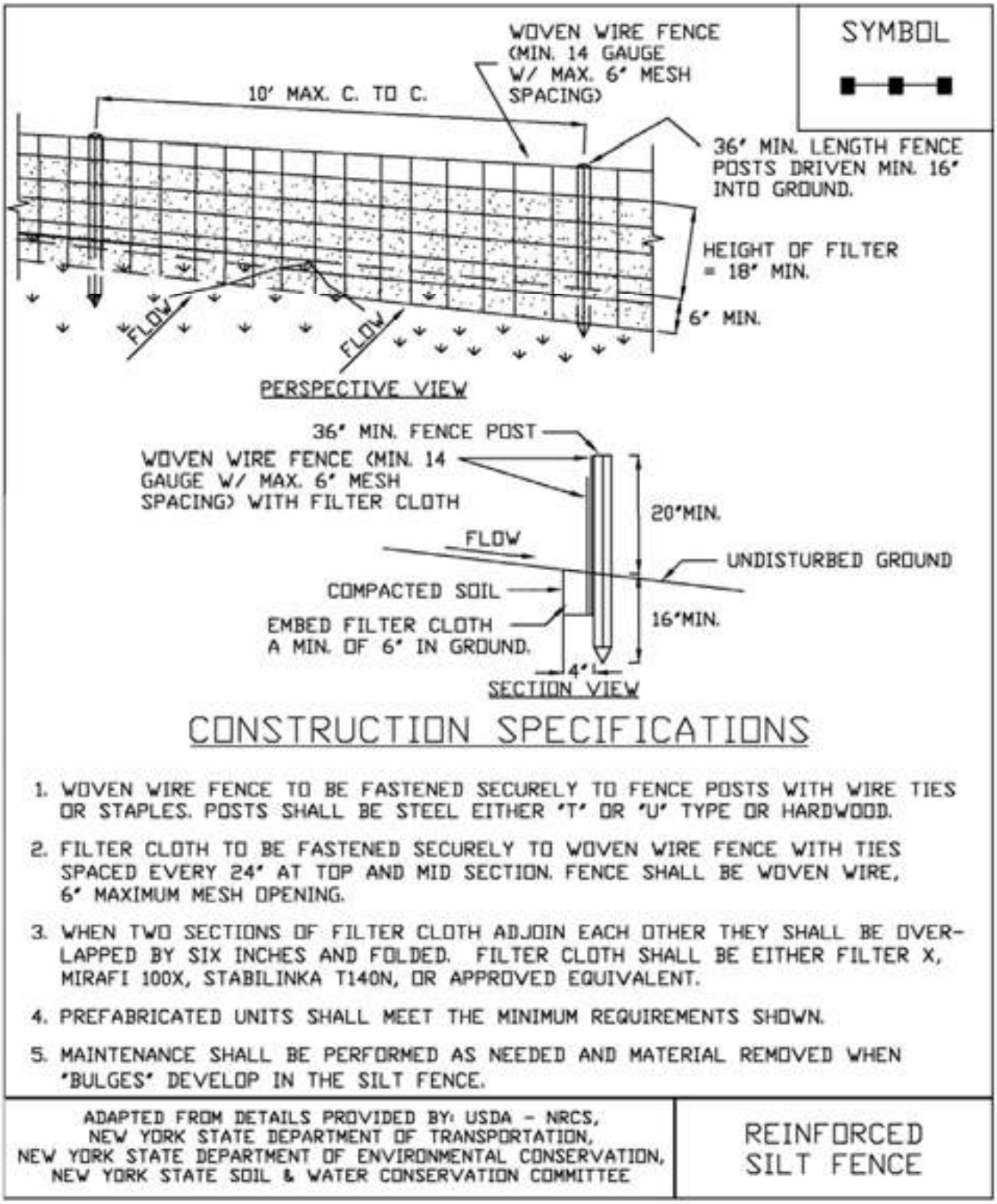
3. Wire Fence for reinforced silt fence: Wire fencing shall be a minimum 14 gage with a maximum 6 in. mesh opening, or as approved.

4. Prefabricated silt fence is acceptable as long as all material specifications are met.

Super Silt Fence

Reinforced Silt Fence

Figure 5.30
Reinforced Silt Fence



STANDARD AND SPECIFICATIONS FOR COMPOST FILTER SOCK

Definition & Scope

A **temporary** sediment control practice composed of a degradable geotextile mesh tube filled with compost filter media to filter sediment and other pollutants associated with construction activity to prevent their migration offsite.

Condition Where Practice Applies

Compost filter socks can be used in many construction site applications where erosion will occur in the form of sheet erosion and there is no concentration of water flowing to the sock. In areas with steep slopes and/or rocky terrain, soil conditions must be such that good continuous contact between the sock and the soil is maintained throughout its length. For use on impervious surfaces such as road pavement or parking areas, proper anchorage must be provided to prevent shifting of the sock or separation of the contact between the sock and the pavement. Compost filter socks are utilized both at the site perimeter as well as within the construction areas. These socks may be filled after placement by blowing compost into the tube pneumatically, or filled at a staging location and moved into its designed location.

Design Criteria

1. Compost filter socks will be placed on the contour with both terminal ends of the sock extended 8 feet upslope at a 45 degree angle to prevent bypass flow.

2. Diameters designed for use shall be 12" – 32" except that 8" diameter socks may be used for residential lots to control areas less than 0.25 acres.

3. The flat dimension of the sock shall be at least 1.5 times the nominal diameter.

4. The **Maximum Slope Length** (in feet) above a compost filter sock shall not exceed the following limits:

Dia. (in.)	Slope %						
	2	**5**	**10**	**20**	**25**	**33**	**50**
8	225*	200	100	50	20	—	—
12	250	225	125	65	50	40	25
18	275	250	150	70	55	45	30
24	350	275	200	130	100	60	35
32	450	325	275	150	120	75	50
* Length in feet							

5. The compost infill shall be well decomposed (matured at least 3 months), weed-free, organic matter. It shall be aerobically composted, possess no objectionable odors, and contain less than 1%, by dry weight, of man-made foreign matter. The physical parameters of the compost shall meet the standards listed in Table 5.2 - Compost Standards Table. **Note: All biosolids compost produced in New York State (or approved for importation) must meet NYS DEC's 6 NYCRR Part 360 (Solid Waste Management Facilities) requirements. The Part 360 requirements are equal to or more stringent than 40 CFR Part 503 which ensure safe standards for pathogen reduction and heavy metals content. When using compost filter socks adjacent to surface water, the compost should have a low nutrient value.**

6. The compost filter sock fabric material shall meet the

7. Compost filter socks shall be anchored in earth with 2" x 2" wooden stakes driven 12" into the soil on 10 foot centers on the centerline of the sock. On uneven terrain, effective ground contact can be enhanced by the placement of a fillet of filter media on the disturbed area side of the compost sock.

8. All specific construction details and material specifications shall appear on the erosion and sediment control constructions drawings when compost filter socks are included in the plan.

Maintenance

1. Traffic shall not be permitted to cross filter socks.

2. Accumulated sediment shall be removed when it reaches half the above ground height of the sock and disposed of in accordance with the plan.

3. Socks shall be inspected weekly and after each runoff event. Damaged socks shall be repaired in the manner required by the manufacturer or replaced within 24 hours of inspection notification.

4. Biodegradable filter socks shall be replaced after 6 months; photodegradable filter socks after 1 year. Polypropylene socks shall be replaced according to the manufacturer's recommendations.

5. Upon stabilization of the area contributory to the sock, stakes shall be removed. The sock may be left in place and vegetated or removed in accordance with the stabilization plan. For removal the mesh can be cut and the compost spread as an additional mulch to act as a soil supplement.

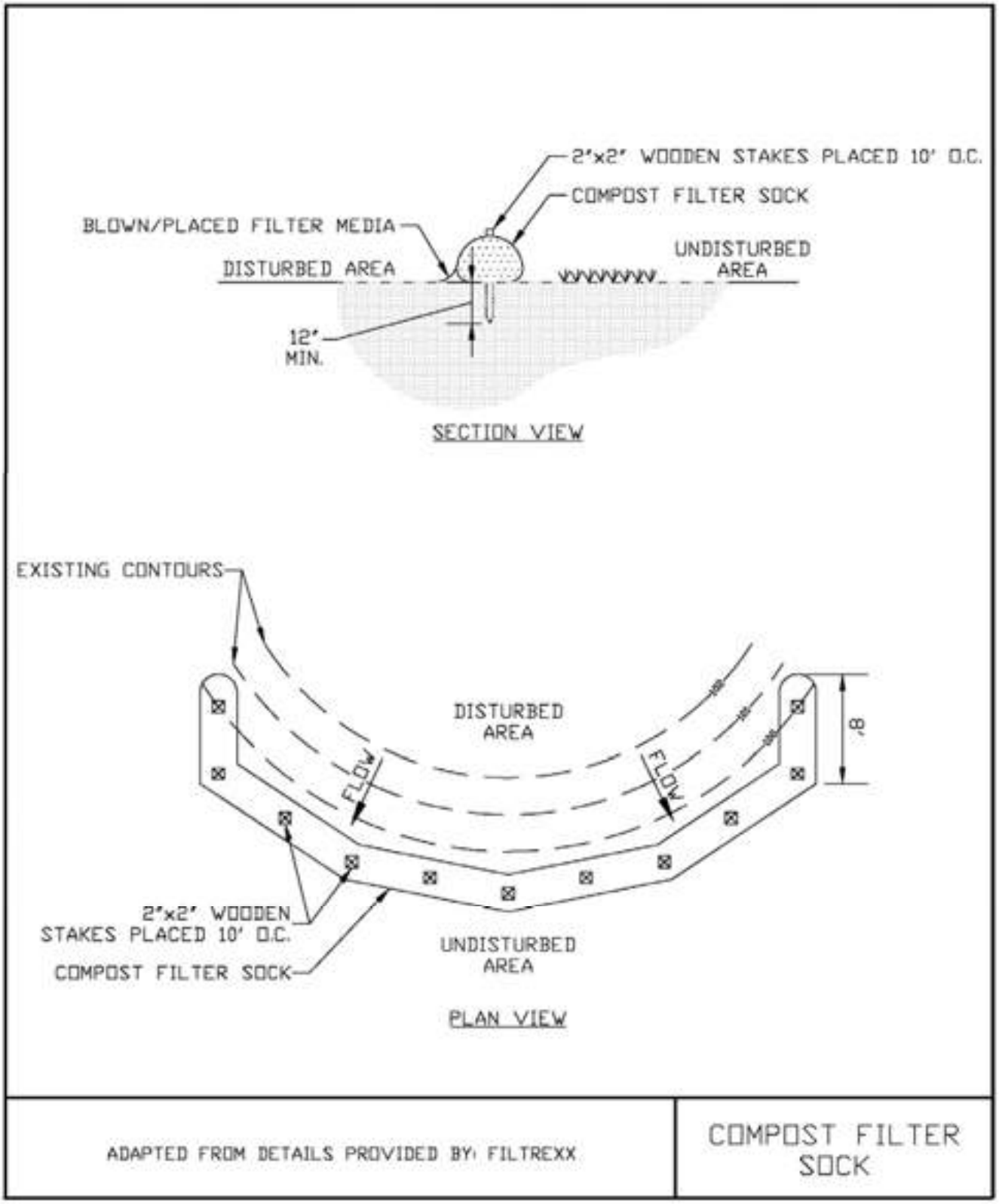
Table 5.1 - Compost Sock Fabric Minimum Specifications Table

Material Type	3 mil HDPE	5 mil HDPE	5 mil HDPE	Multi-Filament Polypropylene (MFPP)	Heavy Duty Multi-Filament Polypropylene (HDMFPP)
Material Characteristics	Photodegradable	Photodegradable	Biodegradable	Photodegradable	Photodegradable
Sock Diameters	12" 18"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"	12" 18" 24" 32"
Mesh Opening	3/8"	3/8"	3/8"	3/8"	1/8"
Tensile Strength		26 psi	26 psi	44 psi	202 psi
Ultraviolet Stability % Original Strength (ASTM G-155)	23% at 1000 hr.	23% at 1000 hr.		100% at 1000 hr.	100% at 1000 hr.
Minimum Functional Longevity	6 months	9 months	6 months	1 year	2 years

Table 5.2 - Compost Standards Table

Organic matter content	25% - 100% (dry weight)
Organic portion	Fibrous and elongated
pH	6.0 – 8.0
Moisture content	30% - 60%
Particle size	100% passing a 1" screen and 10 - 50% passing a 3/8" screen
Soluble salt concentration	5.0 dS/m (mmhos/cm) maximum

Figure 5.2
Compost Filter Sock



STANDARD AND SPECIFICATIONS FOR SOIL RESTORATION

Definition & Scope

The decompaction of areas of a development site or construction project where soils have been disturbed to recover the original properties and porosity of the soil; thus providing a sustainable growth medium for vegetation, reduction of runoff and filtering of pollutants from stormwater runoff.

Conditions Where Practice Applies

Soil restoration is to be applied to areas whose heavy construction traffic is done and final stabilization is to begin. This is generally applied in the cleanup, site restoration, and landscaping phase of construction followed by the permanent establishment of an appropriate ground cover to maintain the soil structure. Soil restoration measures should be applied over and adjacent to any runoff reduction practices to achieve design performance.

Design Criteria

1. Soil restoration areas will be designated on the plan views of areas to be disturbed.
2. Soil restoration will be completed in accordance with Table 4.6 on page 4.53.

Specification for Full Soil Restoration

During periods of relatively low to moderate subsoil moisture, the disturbed subsoils are returned to rough grade and the following Soil Restoration steps applied:

1. Apply 3 inches of compost over subsoil. The compost shall be well decomposed (matured at least 3 months), weed-free, organic matter. It shall be aerobically composted, possess no objectionable odors, and contain less than 1%, by dry weight, of man-made foreign matter. The physical parameters of the compost shall meet the standards listed in Table 5.2 - Compost Standards Table, except for "Particle Size" 100% will pass the 1/2" sieve. **Note: All biosolids compost produced in New York State (or approved for importation) must meet NYS DEC's 6 NYCRR Part 360 (Solid Waste Management Facilities) requirements. The Part 360 requirements are equal to or more stringent than 40 CFR Part 503 which ensure safe standards for pathogen reduction and heavy metals content.**

2. Till compost into subsoil to a depth of at least 12 inches using a cat-mounted ripper, tractor mounted disc, or tiller, to mix and circulate air and compost into the subsoil.
3. Rock-pick until uplifted stone/rock materials of four inches and larger size are cleaned off the site.
4. Apply topsoil to a depth of 6 inches.
5. Vegetate as required by the seeding plan. Use appropriate ground cover with deep roots to maintain the soil structure.
6. Topsoil may be manufactured as a mixture or a mineral component and organic material such as compost.

At the end of the project an inspector should be able to push a 3/8" metal bar 12 inches into the soil just with body weight. This should not be performed within the drip line of any existing trees or over utility installations that are within 24 inches of the surface.

Maintenance

Keep the site free of vehicular and foot traffic or other weight loads. Consider pedestrian footpaths.

Table 4.6
Soil Restoration Requirements

Type of Soil Disturbance	Soil Restoration Requirement		Comments/Examples
No soil disturbance	Restoration not permitted		Preservation of Natural Features
Minimal soil disturbance	Restoration not required		Clearing and grubbing
Areas where topsoil is stripped only - no change in grade	HSG A&B	HSG C&D	Protect area from any ongoing construction activities.
	Apply 6 inches of topsoil	Aerate* and apply 6 inches of topsoil	
Areas of cut or fill	HSG A&B	HSG C&D	
	Aerate* and apply 6 inches of topsoil	Apply full Soil Restoration**	
Heavy traffic areas on site (especially in a zone 5-25 feet around buildings but not within a 5 foot perimeter around foundation walls)	Apply full Soil Restoration (decompaction and compost enhancement)		
Areas where Runoff Reduction and/or Infiltration practices are applied	Restoration not required, but may be applied to enhance the reduction specified for appropriate practices.		Keep construction equipment from crossing these areas. To protect newly installed practice from any ongoing construction activities construct a single phase operation fence area
Redevelopment projects	Soil Restoration is required on redevelopment projects in areas where existing impervious area will be converted to pervious area.		

* Aeration includes the use of machines such as tractor-drawn implements with coulters making a narrow slit in the soil, a roller with many spikes making indentations in the soil, or prongs which function like a mini-subsoiler.
** Per "Deep Ripping and De-compaction, DEC 2008".

STANDARD AND SPECIFICATIONS FOR VEGETATING WATERWAYS

Definition & Scope

Waterways are a **permanently** constructed conveyance channel, shaped or graded. They are vegetated for the safe transport of excess surface water from construction sites and urban areas without damage from erosion.

Conditions Where Practice Applies

This standard applies to vegetating waterways and similar water carrying structures.

Supplemental measures may be required with this practice. These may include: subsurface drainage to permit the growth of suitable vegetation and to eliminate wet spots; a section stabilized with asphalt, stone, or other suitable means; or additional storm drains to handle snowmelt or storm runoff.

Retardance factors for determining waterway dimensions are shown in Table 3.1 on page 3.10 and "Maximum Permissible Velocities for Selected Grass and Legume Mixtures" (See Table 4.10 on page 4.79).

Design Criteria

Waterways or outlets shall be protected against erosion by vegetative means as soon after construction as practical. Vegetation must be well established before diversions or other channels are outletted into them. Consideration should be given to the use of turf reinforcement mats, excelsior matting, other rolled erosion control products, or sodding of channels to provide erosion protection as soon after construction as possible. It is strongly recommended that the center line of the waterway be protected with one of the above materials to avoid center gullies and to protect seedlings from erosion before establishment.

1. Liming, fertilizing, and seedbed preparation.

   A. Lime to pH 6.5.

   B. **The soil should be tested to determine the amounts of amendments needed.** If the soil must be fertilized before results of a soil test can be obtained to determine fertilizer needs, apply commercial fertilizer at 1.0 lbs/1,000 sq. ft. of N, P_2O_5, and K_2O.

   C. Lime and fertilizer shall be mixed thoroughly into the seedbed during preparation.

   D. Channels, except for paved section, shall have at least 4 inches of topsoil.

   E. Remove stones and other obstructions that will hinder maintenance.

2. Timing of Seeding.

   A. Early spring and late August are best.

   B. Temporary cover to protect from erosion is recommended during periods when seedings may fail.

3. Seed Mixtures:

Mixtures	Rate per Acre (lbs)	Rate per 1,000 sq. ft. (lbs)
A. White clover or ladino clover[1]	8	0.20
Smooth bromegrass	20	0.45
Creeping red fescue[2]	2	0.05
Total	30	0.70
OR		
B. Smooth bromegass[3]	25	0.60
Creeping red fescue	20	0.50
Perennial ryegrass	10	0.20
Total	55	1.30

[1] Inoculate with appropriate inoculum immediately prior to seeding. Ladino or birdsfoot trefoil may be substituted for common white clover and seeded at the same rate.

[2] Perennial ryegrass may be substituted for the creeping red fescue but increase seeding rate to 5 lbs/acre (0.1 lb/1,000 sq. ft).

[3] Use this mixture in areas which are mowed frequently. Common white clover may be added if desired and seeded at 8 lbs/acre (0.2 lb/1,000 sq. ft.)

4. Seeding

Select the appropriate seed mixture and apply uniformly over the area. Rolling or cultipacking across the waterway is desirable.

Waterway centers or crucial areas may be sodded. Refer to the standard and specification for Stabilization with Sod. Be sure sod is securely anchored using staples or stakes.

5. Mulching

All seeded areas will be mulched. Channels more than 300 feet long, and/or where the slope is 5 percent or more, must have the mulch securely anchored. Refer to the standard and specifications for Mulching for details.

6. Maintenance

Fertilize, lime, and mow as needed to maintain dense protective vegetative cover.

Waterways shall not be used for roadways.

If rills develop in the centerline of a waterway, prompt attention is required to avoid the formation of gullies. Either stone and/or compacted soil fill with excelsior or filter fabric as necessary may be used during the establishment phase. See Figure 4.25, Rill Maintenance Measures. Spacing between rill maintenance barriers shall not exceed 100 feet.

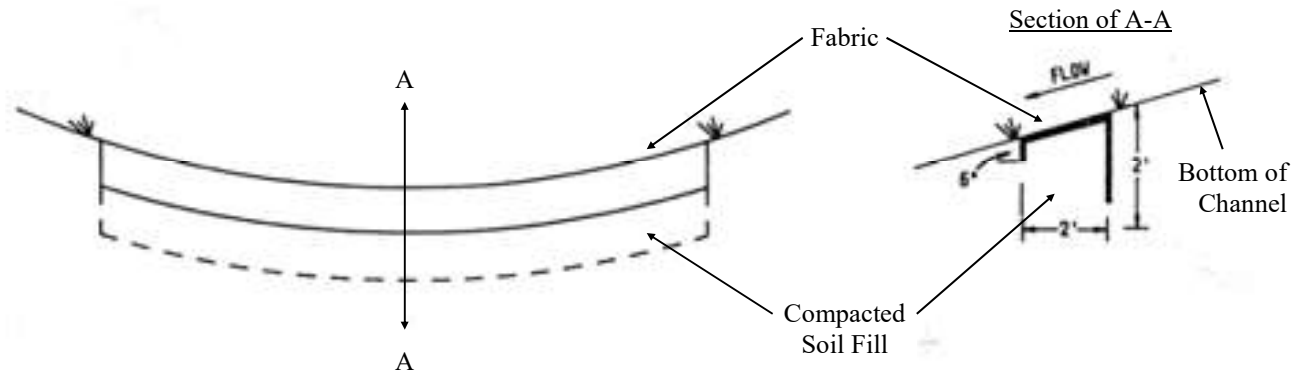
Table 4.10
Maximum Permissible Velocities for Selected Seed Mixtures

Cover	Slope Range [2] (%)	Permissible Velocity [1]	
		Erosion-resistant Soils (ft. per sec.) K=0.10 - 0.35 [3]	Easily Eroded Soils (ft. per sec.) K=0.36 - 0.80
Smooth Bromegrass Hard Fescue	0-5 5-10 Over 10	7 6 5	5 4 3
Grass Mixtures	[2] 0-5 5-10	5 4	4 3
White/Red Clover Alfalfa Red Fescue	[4] 0-5	3.5	2.5

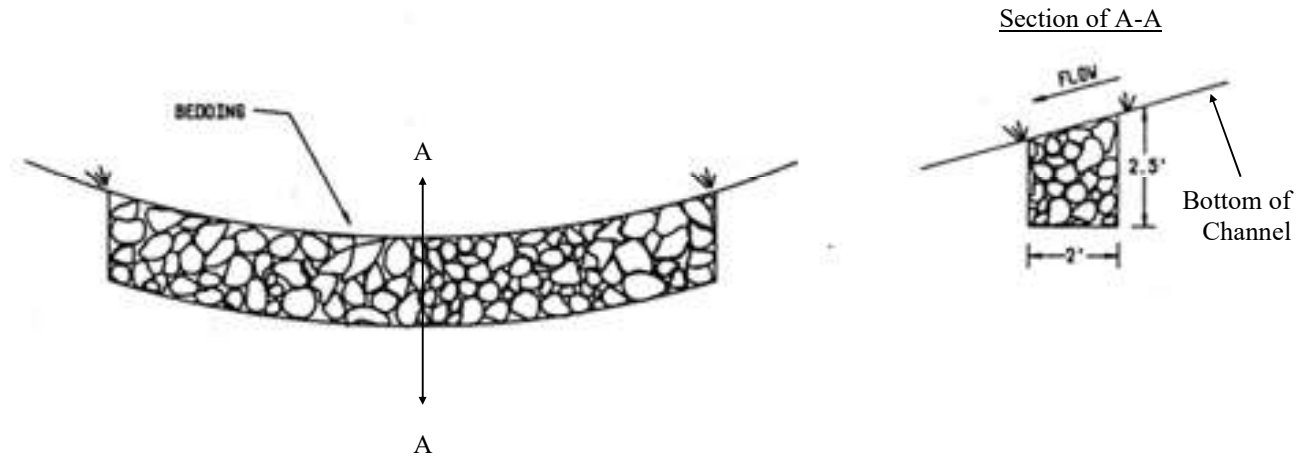
[1] Use velocities exceeding 5 feet per second only where good covers and proper maintenance can be obtained.
[2] Do not use on slopes steeper than 10 percent except for vegetated side slopes in combination with a stone, concrete, or highly resistant vegetative center section.
[3] K is the soil erodibility factor used in the Revised Universal Soil Loss Equation. Visit Appendix A or consult the appropriate USDA-NRCS technical guide for K values for New York State soils.
[4] Do not use on slopes steeper than 5 percent except for vegetated side slopes in combination with a stone, concrete, or highly resistant vegetative center section.
[5] Annuals - use on mild slopes or as temporary protection until permanent covers are established.
[6] Use on slopes steeper than 5 percent is not recommended.

Figure 4.25
Rill Maintenance Measures

Filter Fabric



Stone



STANDARD AND SPECIFICATIONS FOR PROTECTING VEGETATION DURING CONSTRUCTION

Definition & Scope

The protection of trees, shrubs, ground cover and other vegetation from damage by construction equipment. In order to preserve existing vegetation determined to be important for soil erosion control, water quality protection, shade, screening, buffers, wildlife habitat, wetland protection, and other values.

Conditions Where Practices Applies

On planned construction sites where valued vegetation exists and needs to be preserved.

Design Criteria

1. Planning Considerations

   A. Inventory:

      1) Property boundaries, topography, vegetation and soils information should be gathered. Identify potentially high erosion areas, areas with tree windthrow potential, etc. A vegetative cover type map should be made on a copy of a topographic map which shows other natural and manmade features. Vegetation that is desirable to preserve because of its value for screening, shade, critical erosion control, endangered species, aesthetics, etc., should be identified and marked on the map.

      2) Based upon this data, general statements should be prepared about the present condition, potential problem areas, and unique features of the property.

   B. Planning:

      1) After engineering plans (plot maps) are prepared, another field review should take place and recommendations made for the vegetation to be saved. Minor adjustments in location of roads, dwellings, and utilities may be needed. Construction on steep slopes, erodible soils, wetlands, and streams should be avoided. Clearing limits should be delineated (See "Determine Limits of Clearing and Grading" on page 2.2).

      2) Areas to be seeded and planted should be identified. Remaining vegetation should blend with their surroundings and/or provide special function such as a filter strip, buffer zone, or screen.

      3) Trees and shrubs of special seasonal interest, such as flowering dogwood, red maple, striped maple, serviceberry, or shadbush, and valuable potential shade trees should be identified and marked for special protective treatment as appropriate.

      4) Trees to be cut should be marked on the plans. If timber can be removed for salable products, a forester should be consulted for marketing advice.

      5) Trees that may become a hazard to people, personal property, or utilities should be removed. These include trees that are weak-wooded, disease-prone, subject to windthrow, or those that have severely damaged root systems.

      6) The vigor of remaining trees may be improved by a selective thinning. A forester should be consulted for implementing this practice.

2. Measures to Protect Vegetation

   A. Limit soil placement over existing tree and shrub roots to a maximum of 3 inches. Soils with loamy texture and good structure should be used.

   B. Use retaining walls and terraces to protect roots of trees and shrubs when grades are lowered. Lowered grades should start no closer than the dripline of the tree. For narrow-canopied trees and shrubs, the stem diameter in inches is converted to feet and doubled, such that a 10 inch tree should be protected to 20 feet.

   C. Trenching across tree root systems should be the same minimum distance from the trunk, as in "B". Tunnels under root systems for underground utilities should start 18 inches or deeper below the normal ground surface. Tree roots which must be severed should be cut clean. Backfill material that will be in contact with the roots should be topsoil or a prepared planting soil mixture.

   D. Construct sturdy fences, or barriers, of wood, steel, or other protective material around valuable

vegetation for protection from construction equipment. Place barriers far enough away from trees, but not less than the specifications in "B", so that tall equipment such as backhoes and dump trucks do not contact tree branches.

E. Construction limits should be identified and clearly marked to exclude equipment.

F. Avoid spills of oil/gas and other contaminants.

G. Obstructive and broken branches should be pruned properly. The branch collar on all branches whether living or dead should not be damaged. The 3 or 4 cut method should be used on all branches larger than two inches at the cut. First cut about one-third the way through the underside of the limb (about 6-12 inches from the tree trunk). Then (approximately an inch further out) make a second cut through the limb from the upper side. When the branch is removed, there is no splintering of the main tree trunk. Remove the stub. If the branch is larger than 5-6 inches in diameter, use the four cut system. Cuts 1 and 2 remain the same and cut 3 should be from the underside of the limb, on the outside of the branch collar. Cut 4 should be from the top and in alignment with the 3rd cut. Cut 3 should be 1/4 to 1/3 the way through the limb. This will prevent the bark from peeling down the trunk. Do not paint the cut surface.

H. Penalties for damage to valuable trees, shrubs, and herbaceous plants should be clearly spelled out in the contract.

PROTECTING TREES IN HEAVY USE AREAS

The compaction of soil over the roots of trees and shrubs by the trampling of recreationists, vehicular traffic, etc., reduces oxygen, water, and nutrient uptake by feeder roots. This weakens and may eventually kill the plants. Table 2.6 rates the “Susceptibility of Tree Species to Compaction.”

Where heavy compaction is anticipated, apply and maintain a 3 to 4 inch layer of undecayed wood chips or 2 inches of No. 2 washed, crushed gravel. In addition, use of a wooden or plastic mat may be used to lessen compaction, if applicable.

Table 2.6
Susceptibility of Tree Species to Compaction[1]

Resistant:

Box elder……	*Acer negundo*	Willows……	*Salix spp.*
Green ash……..	*Fraxinus pennsylvanica*	Honey locust……	*Gleditsia triacanthos*
Red elm……..	*Ulmus rubra*	Eastern cottonwood…….	*Populus deltoides*
Hawthornes……	*Crataegus spp.*	Swamp white oak…….	*Quercus bicolor*
Bur oak……..	*Quercus macrocarpa*	Hophornbeam……	*Ostrya virginiana*
Northern white cedar….	*Thuja occidentalis*		

Intermediate:

Red maple…….	*Acer rubrum*	Sweetgum…….	*Liquidambar styraciflua*
Silver maple……..	*Acer saccharinum*	Norway maple…….	*Acer platanoides*
Hackberry…….	*Celtis occidentalis*	Shagbark hickory…….	*Carya ovata*
Black gum……	*Nyssa sylvatica*	London plane……..	*Platanus x hybrida*
Red oak……	*Quercus rubra*	Pin oak…….	*Quercus palustris*
Basswood…….	*Tilia americana*		

Susceptible:

Sugar maple…….	*Acer saccharum*	Austrian Pine……	*Pinus nigra*
White pine……	*Pinus strobus*	White ash…….	*Fraxinus americana*
Blue spruce……..	*Picea pungens*	Paper birch……..	*Betula papyrifera*
White oak……	*Quercus alba*	Moutain ash…….	*Sorbus aucuparia*
Red pine……..	*Pinus resinosa*	Japanese maple……	*Acer palmatum*

[1] If a tree species does not appear on the list, insufficient information is available to rate it for this purpose.

STANDARD AND SPECIFICATIONS FOR WINTER STABILIZATION

Definition & Scope

A temporary site specific, enhanced erosion and sediment control plan to manage runoff and sediment at the site during construction activities in the winter months to protect off-site water resources.

Conditions Where Practice Applies

This standard applies to all construction activities involved with ongoing land disturbance and exposure between November 15th to the following April 1st.

Design Criteria

1. Prepare a snow management plan with adequate storage for snow and control of melt water, requiring cleared snow to be stored in a manner not affecting ongoing construction activities.

2. Enlarge and stabilize access points to provide for snow management and stockpiling. Snow management activities must not destroy or degrade installed erosion and sediment control practices.

3. A minimum 25 foot buffer shall be maintained from all perimeter controls such as silt fence. Mark silt fence with tall stakes that are visible above the snow pack.

4. Edges of disturbed areas that drain to a waterbody within 100 feet will have 2 rows of silt fence, 5 feet apart, installed on the contour.

5. Drainage structures must be kept open and free of snow and ice dams. All debris, ice dams, or debris from plowing operations, that restrict the flow of runoff and meltwater, shall be removed.

6. Sediment barriers must be installed at all appropriate perimeter and sensitive locations. Silt fence and other practices requiring earth disturbance must be installed before the ground freezes.

7. Soil stockpiles must be protected by the use of established vegetation, anchored straw mulch, rolled stabilization matting, or other durable covering. A barrier must be installed at least 15 feet from the toe of the stockpile to prevent soil migration and to capture loose soil.

8. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures should be initiated by the end of the next business day and completed within three (3) days. Rolled erosion control blankets must be used on all slopes 3 horizontal to 1 vertical or steeper.

9. If straw mulch alone is used for temporary stabilization, it shall be applied at double the standard rate of 2 tons per acre, making the application rate 4 tons per acre. Other manufactured mulches should be applied at double the manufacturer's recommended rate.

10. To ensure adequate stabilization of disturbed soil in advance of a melt event, areas of disturbed soil should be stabilized at the end of each work day unless:

    a. work will resume within 24 hours in the same area and no precipitation is forecast or;

    b. the work is in disturbed areas that collect and retain runoff, such as open utility trenches, foundation excavations, or water management areas.

11. Use stone paths to stabilize access perimeters of buildings under construction and areas where construction vehicle traffic is anticipated. Stone paths should be a minimum 10 feet in width but wider as necessary to accommodate equipment.

Maintenance

The site shall be inspected frequently to ensure that the erosion and sediment control plan is performing its winter stabilization function. If the site will not have earth disturbing activities ongoing during the "winter season", **all** bare exposed soil must be stabilized by established vegetation, straw or other acceptable mulch, matting, rock, or other approved material such as rolled erosion control products. Seeding of areas with mulch cover is preferred but seeding alone is not acceptable for proper stabilization.

Compliance inspections must be performed and reports filed properly in accordance with the SWPPP for all sites under a winter shutdown.

References

1. Northeastern Illinois Soil and Sedimentation Control Steering Committee. October 1981. Procedures and Standards for Urban Soil Erosion and Sediment Control in Illinois.
2. J.F. Rushing, V.M. Moore, J.S. Tingle, Q. Mason, and T. McCaffery, 2005. Dust Abatement Methods for Lines of Communication and Base Camps in Temperate Climates. ERDC/GSL TR-05-23, October 2005.

APPENDIX F:
GENERAL PERMIT COVERAGE

Owner Certification
SWPPP Preparer Certification
Electronic Notice of Intent
Five Acre Waiver
General Permit
Notice of Termination
Nationwide Permit 51 – Land-Based Renewable Energy Generation Facilities
NYSDEC Solar Panel Construction Stormwater Permitting/SWPPP Guidance
Maryland Department of the Environment Stormwater Design Guidance

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Owner/Operator Certification Form

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

Project/Site Name: Riley Road Solar Array

eNOI Submission Number: HP5-2S4J-134DS

eNOI Submitted by: ☐ **Owner/Operator** ☑ **SWPPP Preparer** ☐ **Other**

Certification Statement - Owner/Operator

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

Owner/Operator First Name M.I. Last Name

_____

Signature

_____

Date

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

SWPPP Preparer Certification Form

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

Project Site Information

Project/Site Name

Riley Road Solar Array

Owner/Operator Information

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

Next Era Energy Resources

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Drazen		Gasic
First name	MI	Last Name

Signature

Date

Revised: January 2020

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP- 0-20-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70

of the Environmental Conservation Law

Effective Date: January 29, 2020 Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator

1-23-20

Authorized Signature Date

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

PREFACE

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

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

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

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

Table of Contents

Part 1. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;

2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants* to *surface waters of the State.*

3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

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

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

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

a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:

   (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharge*s;

   (ii) Control stormwater *discharge*s, including both peak flowrates and total stormwater volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points;

   (iii) *Minimize* the amount of soil exposed during *construction activity*;

   (iv) *Minimize* the disturbance of *steep slopes*;

   (v) *Minimize* sediment *discharge*s from the site;

   (vi) Provide and maintain *natural buffer*s around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharge*s, unless *infeasible*;

   (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;

   (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and

   (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.

b. **Soil Stabilization**. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments

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

c. **Dewatering**. *Discharge*s from *dewatering* activities, including *discharge*s from *dewatering* of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures**. Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;

(ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and

(iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Prohibited *Discharges*.** The following *discharge*s are prohibited:

(i) Wastewater from washout of concrete;

(ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

(iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;

(iv) Soaps or solvents used in vehicle and equipment washing; and

(v) Toxic or hazardous substances from a spill or other release.

f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

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

2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

a. Sizing Criteria for New Development

(i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.

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

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
(2) The site discharges directly to tidal waters, or fifth order or larger streams.

(iv) *Overbank* Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
(1) the site discharges directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

(v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
(1) the site discharges directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

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

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

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

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

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

(iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) *Overbank* Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

(v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that *overbank* control is not required.

c. Sizing Criteria for Redevelopment Activity

(i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.

(1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or

(2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or

(3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or

(4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

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

(ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iii) *Overbank* Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site

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

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

D. Maintaining Water Quality

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

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;

2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and

3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

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

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

E. Eligibility Under This General Permit

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.

2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharge*s; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.

3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: "Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned"; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated *discharge*s from *construction site* de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.

4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

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

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

1. *Discharge*s after *construction activities* have been completed and the site has undergone *final stabilization*;

2. *Discharge*s that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;

3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;

4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an *endangered or threatened species* unless the *owner or*

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

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;

6. *Construction activities* for residential, commercial and institutional projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which are undertaken on land with no existing *impervious cover*; and

   c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

7. *Construction activities* for linear transportation projects and linear utility projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which are undertaken on land with no existing *impervious cover*; and

   c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:

   a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the *construction site* within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the *construction site* within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.

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

   b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
      (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
      (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
      (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
      (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or

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

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

d. Documentation that:

(i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharge*s from *construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the “MS4 SWPPP Acceptance” form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.

3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4* . This exemption does not apply to *construction activities* subject to the New York City Administrative Code.

B. Notice of Intent (NOI) Submittal

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

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

2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.

3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.

4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

C. Permit Authorization

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.

2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:

   a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (http://www.dec.ny.gov/) for more information,

   b. where required, all necessary Department permits subject to the *Uniform Procedures Act ("UPA")* (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators* of *construction activities* that are required to obtain *UPA* permits

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

c. the final SWPPP has been prepared, and

d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.

3. An *owner or operator* that has satisfied the requirements of Part II.C.2 above will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

   a. For *construction activities* that are <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4*:

      (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or

      (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has <u>not</u> been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;

      (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:

(i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "*MS4* SWPPP Acceptance" form, or

(ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.

4. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.C. of this permit.

D. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination ("NOT") has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-20-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor's or subcontractor's certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the *construction site* until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land*

use control MS4, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.

c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.

d. The *owner or operator* shall install any additional site-specific practices needed to protect water quality.

e. The *owner or operator* shall include the requirements above in their SWPPP.

4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K..

5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

6. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the

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

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

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

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

F. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4,* the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.

2. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.B.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

3. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or*

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

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.

2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.

3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.

4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP, including construction drawings:

    a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;

b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge* of *pollutants*;

c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* the Department or other regulatory authority; and

d. to document the final construction conditions.

5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor.* The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

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

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

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

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

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

B. Required SWPPP Contents

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

    a. Background information about the scope of the project, including the location, type and size of project

b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge*(s);

c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);

d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;

e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;

f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;

g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;

h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;

i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

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

j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;

k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the *construction site*; and

l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

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

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

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

b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;

c. A Stormwater Modeling and Analysis Report that includes:
   (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;

   (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;

   (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;

   (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

   (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and

   (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;

d. Soil testing results and locations (test pits, borings);

e. Infiltration test results, when required; and

f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

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

C. Required SWPPP Components by Project Type

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

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

B. Contractor Maintenance Inspection Requirements

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

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

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.

3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

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

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

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- New York State Erosion and Sediment Control Certificate Program holder
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:

   a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located

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

b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and

d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.

b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.

d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization,* and all temporary, structural erosion and sediment control measures have been removed*;* and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.B.1 of this permit.

e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization,* all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site*, and all points of *discharge* from the *construction site*.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

a. Date and time of inspection;

b. Name and title of person(s) performing inspection;

c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;

d. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This shall include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;

e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;

f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;

g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;

h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;

j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);

k. Identification and status of all corrective actions that were required by previous inspection; and

l. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector.* Pursuant to Part II.D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.

2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:

   a. Total project completion - All *construction activity* identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;

c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. of this permit.

d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.

4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector*'s final site inspection certification(s) required in Part V.A.3. of this permit.

5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:

   a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),

c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,

d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

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

B. Addresses

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

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

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

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

B. Continuation of the Expired General Permit

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

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

E. Duty to Mitigate

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

F. Duty to Provide Information

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

G. Other Information

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

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:

    a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) the chief executive officer of the agency, or

(ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,

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

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

3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4,* or by a duly authorized representative of that person.

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

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

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

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

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

1. Enter upon the owner’s or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

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

4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

N. Permit Actions

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

O. Definitions

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

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.

2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports

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

R. Other Permits

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

APPENDIX A – Acronyms and Definitions

Acronyms

APO – Agency Preservation Officer
BMP – Best Management Practice
CPESC – Certified Professional in Erosion and Sediment Control
Cpv – Channel Protection Volume
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
DOW – Division of Water
EAF – Environmental Assessment Form
ECL - Environmental Conservation Law
EPA – U. S. Environmental Protection Agency
HSG – Hydrologic Soil Group
MS4 – Municipal Separate Storm Sewer System
NOI – Notice of Intent
NOT – Notice of Termination
NPDES – National Pollutant Discharge Elimination System
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review
SEQRA - State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SPDES – State Pollutant Discharge Elimination System
SWPPP – Stormwater Pollution Prevention Plan
TMDL – Total Maximum Daily Load
UPA – Uniform Procedures Act
USDA – United States Department of Agriculture
WQv – Water Quality Volume

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX B – Required SWPPP Components by Project Type

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

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

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

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

All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

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

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover
- Cross-country ski trails and walking/hiking trails
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.
- Slope stabilization projects
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics

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

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

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

Table 2

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

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

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

Table 2 (Continued)

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

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

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

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

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

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

Figure 1 - New York City Watershed East of the Hudson

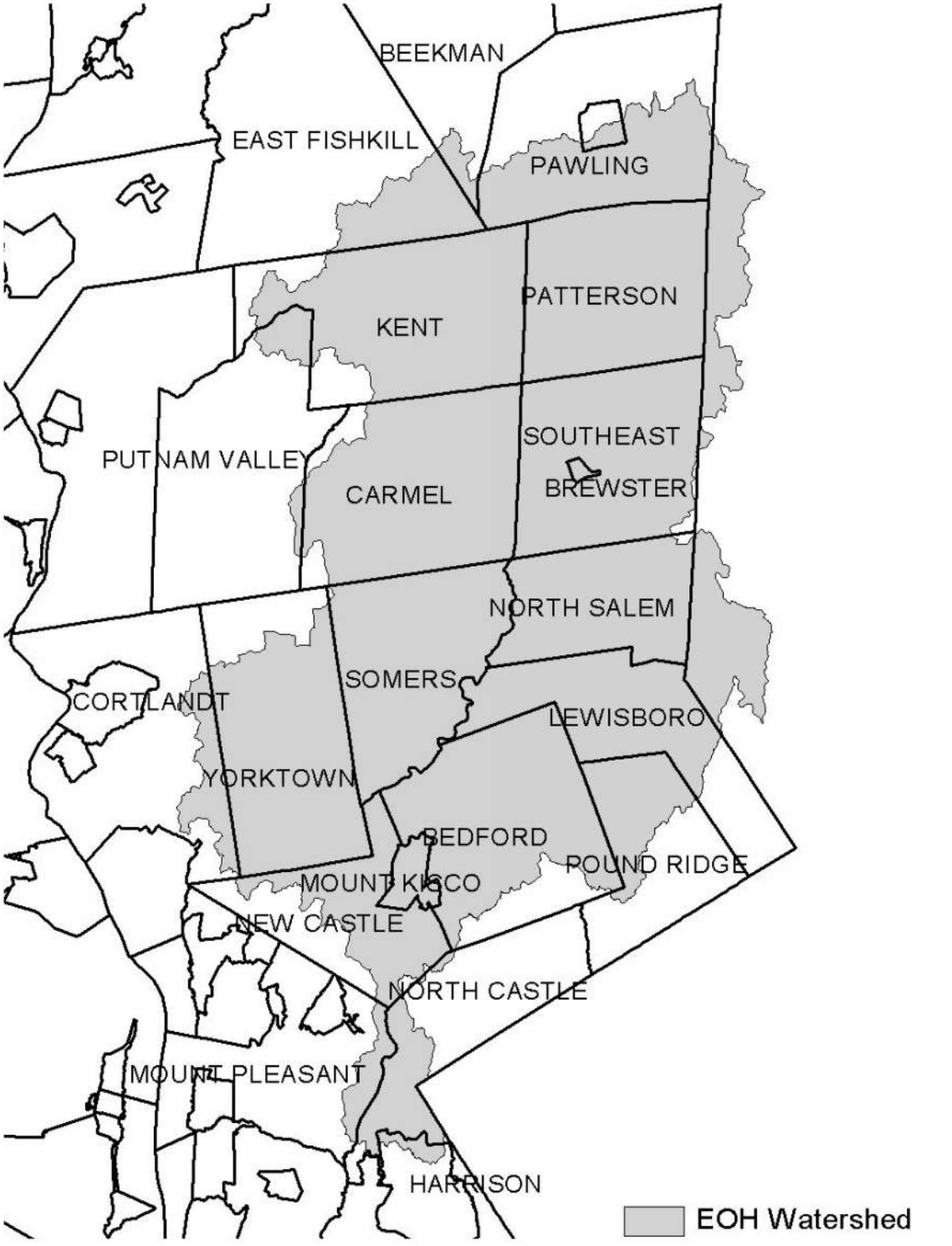


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

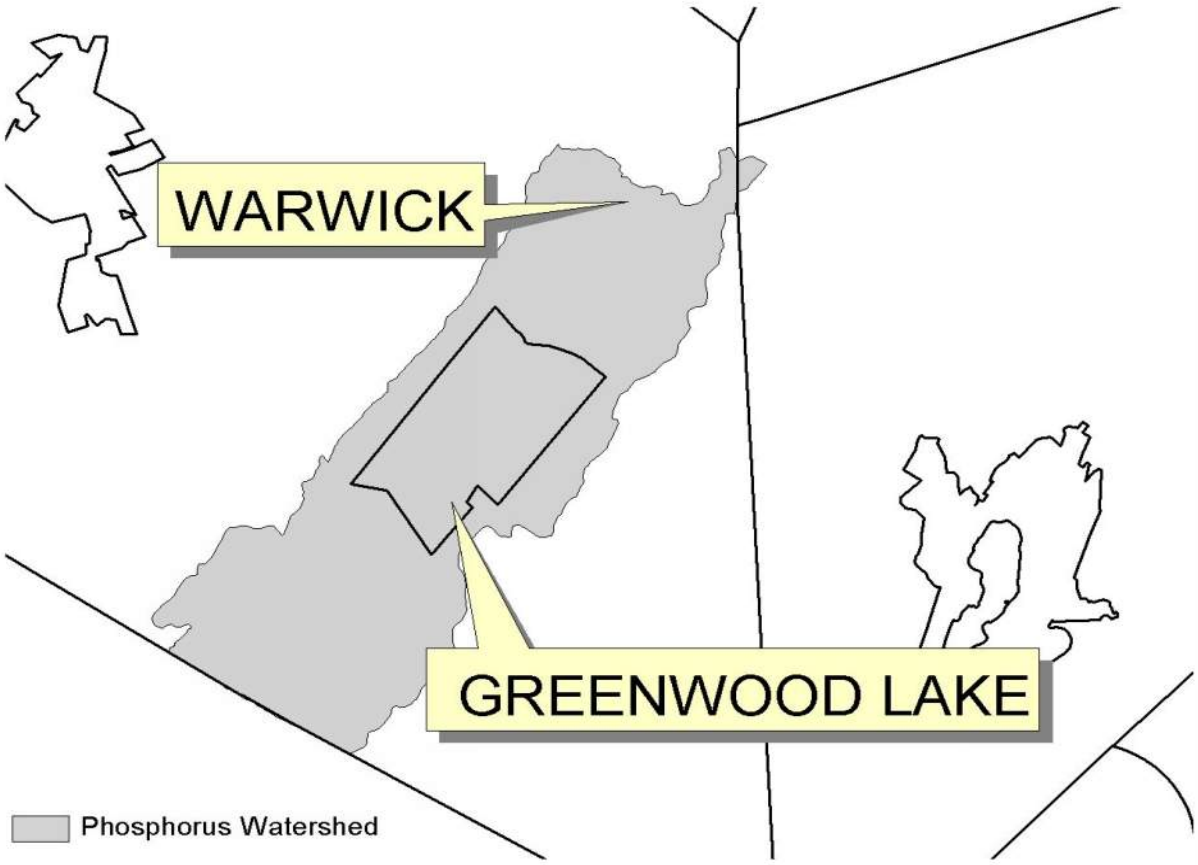


Figure 4 - Oscawana Lake Watershed

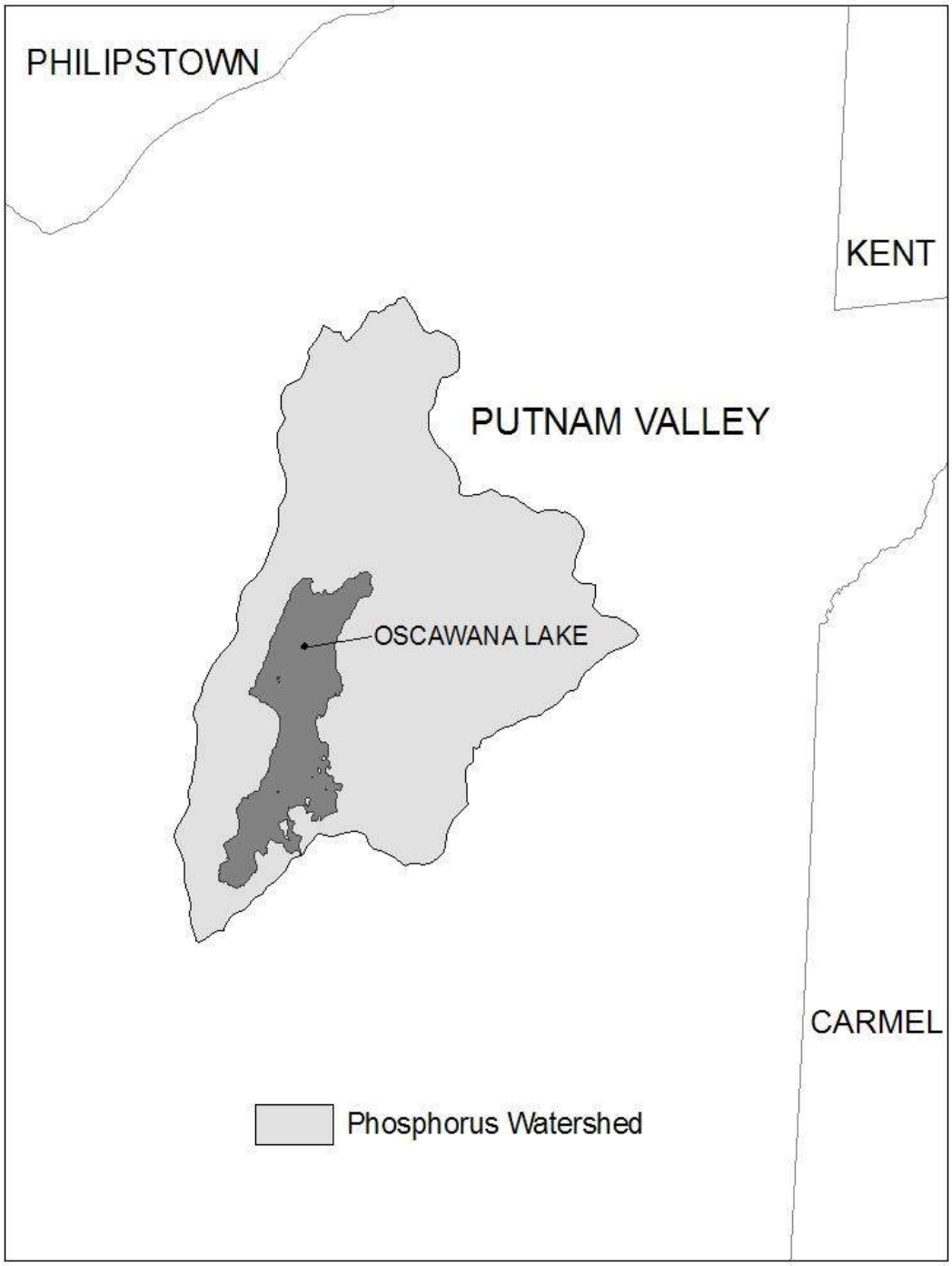
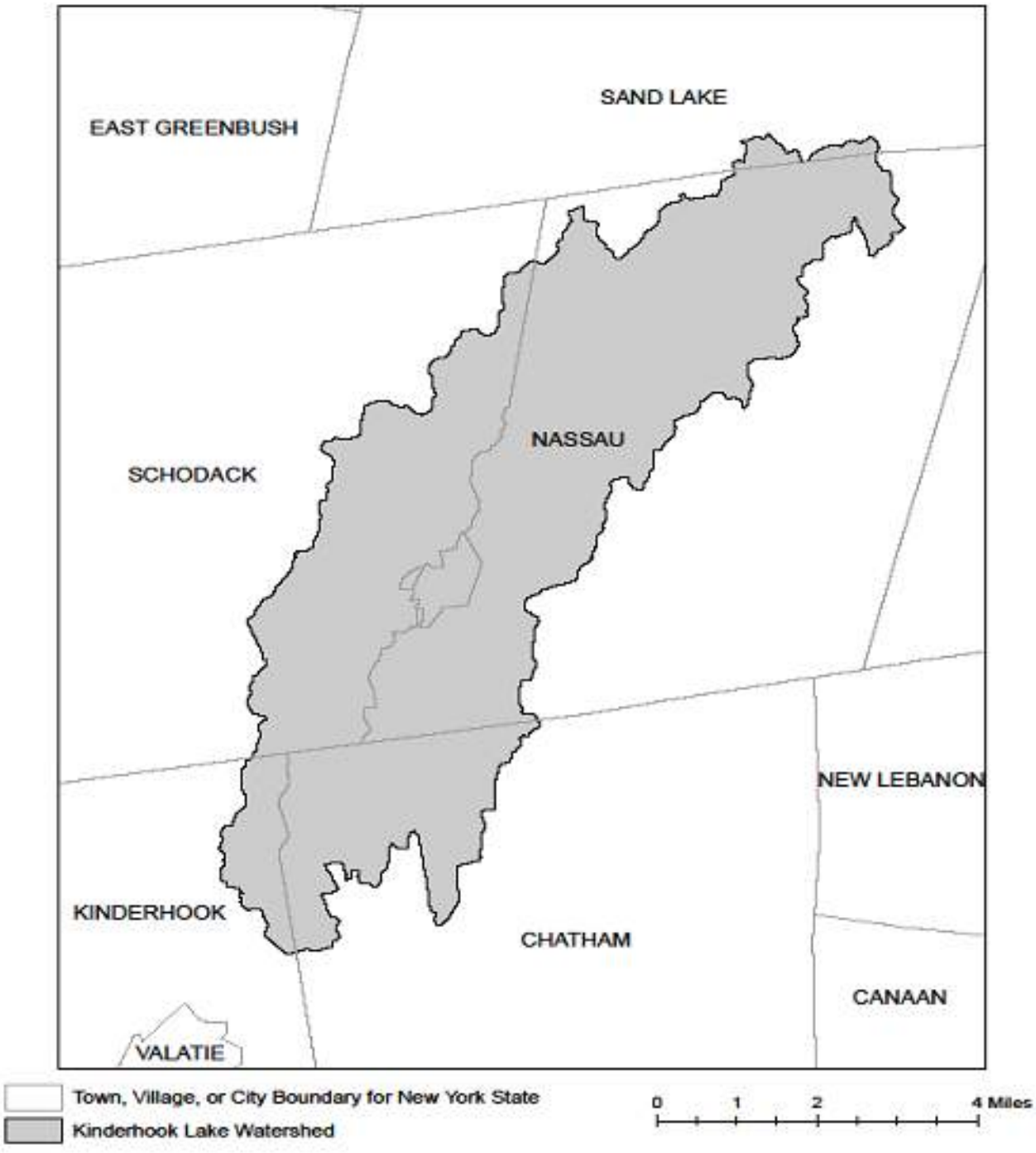


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Watersheds with Lower Disturbance Threshold

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPENDIX F – List of NYS DEC Regional Offices

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 Warrensburg, NY 12885-1172 Tel. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

NOI for coverage under Stormwater General Permit for Construction Activity

Alternate ID Riley Road Solar Array **Submission** HP5-2S4J-134DS **Revision** 1 **Form Version** 1.28

Review

This step allows you to review the form to confirm the form is populated completely and accurately, prior to certification and submission.

Please note: Any work you perform filling out a form will not be accessible by NYSDEC staff or the public until you actually submit the form in the 'Certify & Submit' step.

OWNER/OPERATOR INFORMATION

Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)
Next Era Energy Resources and DG New York CS IV, LLC

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

Owner/Operator Contact Person First Name
Josh

Owner/Operator Mailing Address
700 Universe Blvd

City
Juno Beach

State
FL

Zip
33408

Phone
561-694-4570

Email
Josh.Fausset@nexteraenergy.com

Federal Tax ID

None Specified

PROJECT LOCATION

Project/Site Name
Riley Road Solar Array

Street Address (Not P.O. Box)
1902 Riley Road

Side of Street
South

City/Town/Village (THAT ISSUES BUILDING PERMIT)
Cortlandville

State
NY

Zip
13045

County
CORTLAND

DEC Region
7

Name of Nearest Cross Street
East River Road

Distance to Nearest Cross Street (Feet)
655

Project In Relation to Cross Street
East

Tax Map Numbers Section-Block-Parcel
87.00-03-08.112

Tax Map Numbers
None Specified

1. Coordinates

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

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

Latitude	Longitude
42.60342226513161	-76.15282176563113

PROJECT DETAILS

2. What is the nature of this project?
New Construction

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

Pre-Development Existing Landuse
Cultivated Land

Post-Development Future Land Use
Other

Please Describe
Solar Array

3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.
None Specified

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area.

*** ROUND TO THE NEAREST TENTH OF AN ACRE. ***

Total Site Area (acres)
52.05

Total Area to be Disturbed (acres)
36.96

Existing Impervious Area to be Disturbed (acres)
0

Future Impervious Area Within Disturbed Area (acres)
.2621

5. Do you plan to disturb more than 5 acres of soil at any one time?
Yes

---

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

A (%)
0

B (%)
0

C (%)
0

D (%)
100

7. Is this a phased project?
No

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

Start Date
6/1/2021

End Date
12/31/2021

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

9a. Type of waterbody identified in question 9?
River Off Site

Other Waterbody Type Off Site Description
None Specified

9b. If "wetland" was selected in 9A, how was the wetland identified?
None Specified

10. Has the surface waterbody(ies in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?
No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?
No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?
No

If No, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey?
None Specified

If Yes, what is the acreage to be disturbed?
None Specified

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?
No

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?
No

16. What is the name of the municipality/entity that owns the separate storm sewer system?
None Specified

17. Does any runoff from the site enter a sewer classified as a Combined Sewer?
No

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?
No

19. Is this property owned by a state authority, state agency, federal government or local government?
No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)
No

REQUIRED SWPPP COMPONENTS

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?
Yes

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?
No

If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?
None Specified

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:
Certified Professional in Erosion and Sediment Control (CPESC)

SWPPP Preparer
LaBella Associates

Contact Name (Last, Space, First)
Gasic, Drazen

Mailing Address
300 State Street, Suite 201

City
Rochester

State
NY

Zip
14620

Phone
585-454-6100

Email
bringenwald@gmail.com

Download SWPPP Preparer Certification Form

Please take the following steps to prepare and upload your preparer certification form:

1) Click on the link below to download a blank certification form
2) The certified SWPPP preparer should sign this form
3) Scan the signed form
4) Upload the scanned document

Download SWPPP Preparer Certification Form

Please upload the SWPPP Preparer Certification

No files uploaded

Comment
None Specified

At least one file is required.

EROSION & SEDIMENT CONTROL CRITERIA

25. Has a construction sequence schedule for the planned management practices been prepared?
Yes

26. Select all of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural
Construction Road Stabilization
Dust Control
Silt Fence
Stabilized Construction Entrance

Biotechnical
None

Vegetative Measures
Mulching
Protecting Vegetation
Seeding

Permanent Structural
None

Other
None Specified

POST-CONSTRUCTION CRITERIA

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

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.
Preservation of Undisturbed Area
Preservation of Buffers
Reduction of Clearing and Grading
Locating Development in Less Sensitive Areas
Driveway Reduction

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).
All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)
0.021

29. Post-construction SMP Identification

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

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

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

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)
0.021

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

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

32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)
None Specified

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?
None Specified

If Yes, go to question 33.

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

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

33. SMPs

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

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

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

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)
None Specified

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

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).
None Specified

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?
None Specified

If Yes, go to question 36.

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

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

CPv Required (acre-feet)
None Specified

CPv Provided (acre-feet)
None Specified

36a. The need to provide channel protection has been waived because:
None Specified

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

Overbank Flood Control Criteria (Qp)

Pre-Development (CFS)
107.30

Post-Development (CFS)
107.30

Total Extreme Flood Control Criteria (Qf)

Pre-Development (CFS)
255.63

Post-Development (CFS)
255.63

37a. The need to meet the Qp and Qf criteria has been waived because:
None Specified

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?
None Specified

If Yes, Identify the entity responsible for the long term Operation and Maintenance
None Specified

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.
None Specified

POST-CONSTRUCTION SMP IDENTIFICATION

Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs

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

RR Techniques (Area Reduction)

Round to the nearest tenth

Total Contributing Acres for Conservation of Natural Area (RR-1)
None Specified

Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)
None Specified

Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)
None Specified

Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)
None Specified

Total Contributing Acres for Tree Planting/Tree Pit (RR-3)
None Specified

Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)
None Specified

Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)
None Specified

RR Techniques (Volume Reduction)

Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)
None Specified

Total Contributing Impervious Acres for Vegetated Swale (RR-5)
None Specified

Total Contributing Impervious Acres for Rain Garden (RR-6)
None Specified

Total Contributing Impervious Acres for Stormwater Planter (RR-7)
None Specified

Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)
None Specified

Total Contributing Impervious Acres for Porous Pavement (RR-9)
None Specified

Total Contributing Impervious Acres for Green Roof (RR-10)
None Specified

Standard SMPs with RRv Capacity

Total Contributing Impervious Acres for Infiltration Trench (I-1)
None Specified

Total Contributing Impervious Acres for Infiltration Basin (I-2)
None Specified

Total Contributing Impervious Acres for Dry Well (I-3)
None Specified

Total Contributing Impervious Acres for Underground Infiltration System (I-4)
None Specified

Total Contributing Impervious Acres for Bioretention (F-5)
None Specified

Total Contributing Impervious Acres for Dry Swale (O-1)
None Specified

Standard SMPs

Total Contributing Impervious Acres for Micropool Extended Detention (P-1)
None Specified

Total Contributing Impervious Acres for Wet Pond (P-2)
None Specified

Total Contributing Impervious Acres for Wet Extended Detention (P-3)
None Specified

Total Contributing Impervious Acres for Multiple Pond System (P-4)
None Specified

Total Contributing Impervious Acres for Pocket Pond (P-5)
None Specified

Total Contributing Impervious Acres for Surface Sand Filter (F-1)
None Specified

Total Contributing Impervious Acres for Underground Sand Filter (F-2)
None Specified

Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)
None Specified

Total Contributing Impervious Acres for Organic Filter (F-4)
None Specified

Total Contributing Impervious Acres for Shallow Wetland (W-1)
None Specified

Total Contributing Impervious Acres for Extended Detention Wetland (W-2)
None Specified

Total Contributing Impervious Acres for Pond/Wetland System (W-3)
None Specified

Total Contributing Impervious Acres for Pocket Wetland (W-4)
None Specified

Total Contributing Impervious Acres for Wet Swale (O-2)
None Specified

Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)

Total Contributing Impervious Area for Hydrodynamic
None Specified

Total Contributing Impervious Area for Wet Vault
None Specified

Total Contributing Impervious Area for Media Filter
None Specified

"Other" Alternative SMP?
None Specified

Total Contributing Impervious Area for "Other"
None Specified

Provide the name and manufaturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

Manufacturer of Alternative SMP
None Specified

Name of Alternative SMP
None Specified

OTHER PERMITS

40. Identify other DEC permits, existing and new, that are required for this project/facility.
None

If SPDES Multi-Sector GP, then give permit ID
None Specified

If Other, then identify
None Specified

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

If "Yes," then indicate Size of Impact, in acres, to the nearest tenth
None Specified

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

MS4 SWPPP ACCEPTANCE

43. Is this project subject to the requirements of a regulated, traditional land use control MS4?
No

If No, skip question 44

44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?
None Specified

MS4 SWPPP Acceptance Form Download

Download form from the link below. Complete, sign, and upload.

MS4 SWPPP Acceptance Form

MS4 Acceptance Form Upload

No files uploaded

Comment
None Specified

OWNER/OPERATOR CERTIFICATION

The owner/operator must download, sign, and upload the certification form in order to complete this application.

Owner/Operator Certification Form Download

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.

Owner/Operator Certification Form (PDF, 45KB)

Upload Owner/Operator Certification Form

No files uploaded

Comment
None Specified

At least one file is required.

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505
(NOTE: Submit completed form to address above)

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

Please indicate your permit identification number: NYR ___ ___ ___ ___ ___ ___

I. Owner or Operator Information

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person: | 4a.Telephone:

4b. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

III. Reason for Termination

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

9b. □ Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR ___ ___ ___ ___ ___ ___
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. □ Other (Explain on Page 2)

IV. Final Site Information:

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

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

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

_____

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

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

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

□ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.

□ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).

□ For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.

□ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

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

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? □ yes □ no

(If Yes, complete section VI - "MS4 Acceptance" statement

V. Additional Information/Explanation:

(Use this section to answer questions 9c. and 10b., if applicable)

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

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

Printed Name:

Title/Position:

Signature:	Date:

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

VII. Qualified Inspector Certification - Final Stabilization:

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

Printed Name:	
Title/Position:	
Signature:	Date:

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

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

Printed Name:	
Title/Position:	
Signature:	Date:

IX. Owner or Operator Certification

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

Printed Name:	
Title/Position:	
Signature:	Date:

(NYS DEC Notice of Termination - January 2015)

Nationwide Permit 51 - Land-Based Renewable Energy Generation Facilities
Effective Date: March 19, 2017; Expiration Date: March 18, 2022
(NWP Final Notice, 82 FR 1860)

Nationwide Permit 51 - Land-Based Renewable Energy Generation Facilities. Discharges of dredged or fill material into non-tidal waters of the United States for the construction, expansion, or modification of land-based renewable energy production facilities, including attendant features. Such facilities include infrastructure to collect solar (concentrating solar power and photovoltaic), wind, biomass, or geothermal energy. Attendant features may include, but are not limited to roads, parking lots, and stormwater management facilities within the land-based renewable energy generation facility.

The discharge must not cause the loss of greater than 1/2-acre of non-tidal waters of the United States. The discharge must not cause the loss of more than 300 linear feet of stream bed, unless for intermittent and ephemeral stream beds the district engineer waives the 300 linear foot limit by making a written determination concluding that the discharge will result in no more than minimal adverse environmental effects. The loss of stream bed plus any other losses of jurisdictional wetlands and waters caused by the NWP activity cannot exceed 1/2-acre. This NWP does not authorize discharges into non-tidal wetlands adjacent to tidal waters.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the discharge results in the loss of greater than 1/10-acre of waters of the United States. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: Utility lines constructed to transfer the energy from the land-based renewable energy generation facility to a distribution system, regional grid, or other facility are generally considered to be linear projects and each separate and distant crossing of a waterbody is eligible for treatment as a separate single and complete linear project. Those utility lines may be authorized by NWP 12 or another Department of the Army authorization.

Note 2: If the only activities associated with the construction, expansion, or modification of a land-based renewable energy generation facility that require Department of the Army authorization are discharges of dredged or fill material into waters of the United States to construct, maintain, repair, and/or remove utility lines and/or road crossings, then NWP 12 and/or NWP 14 shall be used if those activities meet the terms and conditions of NWPs 12 and 14, including any applicable regional conditions and any case-specific conditions imposed by the district engineer.

Note 3: For any activity that involves the construction of a wind energy generating structure, solar tower, or overhead transmission line, a copy of the PCN and NWP verification will be provided to the Department of Defense Siting Clearinghouse, which will evaluate potential effects on military activities.

A. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/ or Coastal Zone Management Act consistency for an NWP. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. **Navigation.** (a) No activity may cause more than a minimal adverse effect on navigation. (b) Any safety lights

and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. **Aquatic Life Movements.** No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. **Spawning Areas.** Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. **Migratory Bird Breeding Areas.** Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. **Shellfish Beds.** No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. **Suitable Material.** No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. **Water Supply Intakes.** No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. **Adverse Effects from Impoundments.** If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. **Management of Water Flows.** To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. **Fills Within 100-Year Floodplains.** The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. **Equipment.** Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. **Soil Erosion and Sediment Controls.** Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. **Removal of Temporary Fills.** Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. **Proper Maintenance.** Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. **Single and Complete Project.** The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. **Wild and Scenic Rivers.**
(a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a ''study river'' for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

(b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a ''study river'' for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre- construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status.

(c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. **Tribal Rights.** No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. **Endangered Species.**
(a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which ''may affect'' a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If preconstruction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district

engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity ''may affect'' or will have ''no effect'' to listed species and designated critical habitat and will notify the non- Federal applicant of the Corps' determination within 45 days of receipt of a complete pre- construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have ''no effect'' on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs.

(e) Authorization of an activity by an NWP does not authorize the ''take'' of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with ''incidental take'' provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where ''take'' means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word ''harm'' in the definition of ''take'' means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required.

(g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide Web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. **Migratory Birds and Bald and Golden Eagles.** The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable

measures to reduce impacts to migratory birds or eagles, including whether ‘‘incidental take’’ permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. **Historic Properties.** (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the preconstruction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed.

(d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the

Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. **Discovery of Previously Unknown Remains and Artifacts.** If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. **Designated Critical Resource Waters.** Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. **Mitigation.** The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require preconstruction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require preconstruction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult to-replace resources (see 33 CFR 332.3(e)(3)).

(e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation.

(2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)).

(3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation.

(4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed

through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2- acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs.

(h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee- responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee responsible mitigation may be environmentally preferable if there are no mitigation banks or in- lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. **Safety of Impoundment Structures.** To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. **Water Quality.** Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. **Coastal Zone Management.** In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. **Regional and Case-By-Case Conditions.** The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. **Use of Multiple Nationwide Permits.** Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization

authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1⁄3- acre.

29. **Transfer of Nationwide Permit Verifications.** If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. **Compliance Certification.** Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a ''USACE project''), the prospective permittee must submit a preconstruction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. **Pre-Construction Notification.** (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is ''no effect'' on listed species or ''no potential to cause effects'' on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of

wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a ''study river'' for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the ''study river'' (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal.

(2) Agency coordination is required for: (i) All NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes.

(3) When agency coordination is required, the district engineer will immediately provide (e.g., via email, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or email that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the preconstruction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of preconstruction notifications to expedite agency coordination.

B. District Engineer's Decision.

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP

activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2- acre.

2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) That the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual

or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

C. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

D. Definitions

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term ''discharge'' means any discharge of dredged or fill material into waters of the United States.

Ecological reference: A model used to plan and design an aquatic habitat and riparian area restoration, enhancement, or establishment activity under NWP 27. An ecological reference may be based on the structure, functions, and dynamics of an aquatic habitat type or a riparian area type that currently exists in the region where the proposed NWP 27 activity is located. Alternatively, an ecological reference may be based on a conceptual model for the aquatic habitat type or riparian area type to be restored, enhanced, or established as a result of the proposed NWP 27 activity. An ecological reference takes into account the range of variation of the aquatic habitat type or riparian area type in the region.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps Regulatory Program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the acres or linear feet of stream bed that are filled or excavated as a result of the regulated activity. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the United States.

Navigable waters: Waters subject to section 10 of the Rivers and Harbors Act of 1899. These waters are defined

at 33 CFR part 329.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of flowing or standing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of ''open waters'' include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas.

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Preconstruction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where preconstruction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Protected tribal resources: Those natural resources and properties of traditional or customary religious or cultural importance, either on or off Indian lands, retained by, or reserved by or for, Indian tribes through treaties, statutes, judicial decisions, or executive orders, including tribal trust resources.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Reestablishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: Reestablishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines.

Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands next to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term ''single and complete project'' is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term ''single and complete project'' is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of ''independent utility''). Single and complete non-linear projects may not be ''piecemealed'' to avoid the limits in an NWP authorization. Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored

floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a jurisdictional wetland that is inundated by tidal waters. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line.

Tribal lands: Any lands title to which is either: (1) Held in trust by the United States for the benefit of any Indian tribe or individual; or (2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.

Tribal rights: Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWPs, a waterbody is a jurisdictional water of the United States. If a wetland is adjacent to a waterbody determined to be a water of the United States, that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of ‘‘waterbodies’’ include streams, rivers, lakes, ponds, and wetlands.

ADDITIONAL INFORMATION

Information about the U.S. Army Corps of Engineers regulatory program, including nationwide permits, may also be accessed at http://www.swt.usace.army.mil/Missions/Regulatory.aspx or http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505
P: (518) 402-8111 | F: (518) 402-9029
www.dec.ny.gov

M E M O R A N D U M

TO: Regional Water Engineers

FROM: Robert Wither, Chief, South Permit Section

SUBJECT: Solar Panel Construction Stormwater Permitting/SWPPP Guidance

DATE: April 5, 2018

Issue

The Department is seeing an increase in the number of solar panel construction projects across New York State. This has resulted in an increase in the number of questions on Construction General Permit (CGP) and Stormwater Pollution Prevention Plan (SWPPP) requirements from design professionals because the current CGP (GP-0-15-002) does not include a specific reference to the SWPPP requirements for solar panel projects in Tables 1 and 2 of Appendix B. To address this issue, the Division of Water (DOW) has developed the following guidance on CGP/SWPPP requirements for the different types of solar panel projects.

Scenario 1

The DOW considers solar panel projects designed and constructed in accordance with the following criteria to be a "*Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields)*" type project as listed in Table 1, Appendix B of the CGP. Therefore, the SWPPP for this type of project will typically just need to address erosion and sediment controls.

1. Solar panels are constructed on post or rack systems and elevated off the ground surface,
2. The panels are spaced apart so that rain water can flow off the down gradient side of the panel and continue as sheet flow across the ground surface*,
3. For solar panels constructed on slopes, the individual rows of solar panels are generally installed along the contour so rain water sheet flows down slope*,
4. The ground surface below the panels consist of a well-established vegetative cover (see "Final Stabilization" definition in Appendix A of the CGP),
5. The project does not include the construction of any traditional impervious areas (i.e. buildings, substation pads, gravel access roads or parking areas, etc.),
6. Construction of the solar panels will not alter the hydrology from pre-to post development conditions (see Appendix A of the CGP, for definition of "Alter the hydrology…"). Note: The design professional shall perform the necessary site assessment/hydrology analysis to make this determination.

*Refer to Maryland's "Stormwater Design Guidance- Solar Panel Installations" attached for guidance on panel installation.
**See notes below for additional criteria.

Scenario 2

If the design and construction of the solar panels meets all the criteria above, except for item 6, the project will fall under the "*All other construction activities that include the construction or reconstruction of impervious area or alter the hydrology from pre-to post development conditions, and are not listed in Table 1*" project type as listed in Table 2, Appendix B of the CGP. Therefore, the SWPPP for this type of project must address post-construction stormwater practices designed in accordance with the sizing criteria in Chapter 4 of the NYS Stormwater Management Design Manual, dated January 2015 (Note: Chapter 10 for projects in NYC EOH Watershed). The Water Quality Volume (WQv)/Runoff Reduction Volume (RRv) sizing criteria can be addressed by designing and constructing the solar panels in accordance with the criteria in items 1 – 4 above, however, the quantity control sizing criteria (Cpv, Qp and Qf) from Chapter 4 (or 10) of the Design Manual must still be addressed, unless one of the waiver criteria from Chapter 4 can be applied. **See notes below for additional criteria.

**** Notes**

- Item 1: For solar panel projects where the panels are mounted directly to the ground (i.e. no space below panel to allow for infiltration of runoff), the SWPPP must address post-construction stormwater management controls designed in accordance with the sizing criteria in Chapter 4 of the NYS Stormwater Management Design Manual, dated January 2015 (Note: Chapter 10 for projects in NYC EOH Watershed).

- Item 5: For solar panel projects that include the construction of traditional impervious areas (i.e. buildings, substation pads, gravel access roads or parking areas, etc.), the SWPPP must address post-construction stormwater management controls for those areas of the project. This applies to both Scenario 1 and 2 above.

cc: Carol Lamb-Lafay, BWP
Dave Gasper, BWP

Stormwater Design Guidance – Solar Panel Installations

Revisions to Maryland's stormwater management regulations in 2010 require that environmental site design (ESD) be used to the maximum extent practicable (MEP) to mimic natural hydrology, reduce runoff to reflect forested wooded conditions, and minimize the impact of land development on water resources. This applies to any residential, commercial, industrial, or institutional development where more than 5,000 square feet of land area is disturbed. Consequently, stormwater management must be addressed even when permeable features like solar panel installations exceed 5,000 square feet of land disturbance.

Depending on local soil conditions and proposed imperviousness, the amount of rainfall that stormwater requirements are based on varies from 1.0 to 2.6 inches. However, addressing stormwater management does not mean that structural or micro-scale practices must be constructed to capture and treat large volumes of runoff. Using nonstructural techniques like disconnecting impervious cover reduces runoff by promoting overland filtering and infiltration. Commonly used with smaller or narrower impervious areas like driveways or open roads, the Disconnection of Non-Rooftop Runoff technique (see pp. 5.61 to 5.65 of the **2000 Maryland Stormwater Design Manual**[1]) is a low cost alternative for treating runoff in situations like rows of solar panels.

When non-rooftop disconnection is used to treat runoff, the following factors should be considered:

- The vegetated area receiving runoff must be equal to or greater in length than the disconnected surface (e.g., width of the row of solar panels)
- Runoff must sheet flow onto and across vegetated areas to maintain the disconnection
- Disconnections should be located on gradual slopes (≤ 5%) to maintain sheetflow. Level spreaders, terraces, or berms may be used to maintain sheetflow conditions if the average slope is steeper than 5%. However, installations on slopes greater than 10% will require an engineered plan that ensures adequate treatment and the safe and non-erosive conveyance of runoff to the property line or downstream stormwater management practice.
- Disconnecting impervious surfaces works best in undisturbed soils. To minimize disturbance and compaction, construction vehicles and equipment should avoid areas used for disconnection during installation of the solar panels.
- Groundcover vegetation must be maintained in good condition in those areas receiving disconnected runoff. Typically this maintenance is no different than other lawn or landscaped areas. However, areas receiving runoff should be protected (e.g., planting shrubs or trees along the perimeter) from future compaction.

Depending on the layout and number of panels installed, the disconnection of non-rooftop runoff technique may address some or all of the stormwater management requirements for an individual project. Where the imperviousness is high or there is other infrastructure (e.g., access roads, transformers), additional runoff may need to be treated. In these situations, other ESD techniques or micro-scale practices may be needed to provide stormwater management for these features.

Example 1 – Using Non-Rooftop Disconnection Where the Average Slope ≤ 5%

Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope does not exceed 5%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed according to Figure 1 below. In this scenario, the disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). Therefore, each row of panels is adequately disconnected and the runoff from 1.0 inch of rainfall is treated.

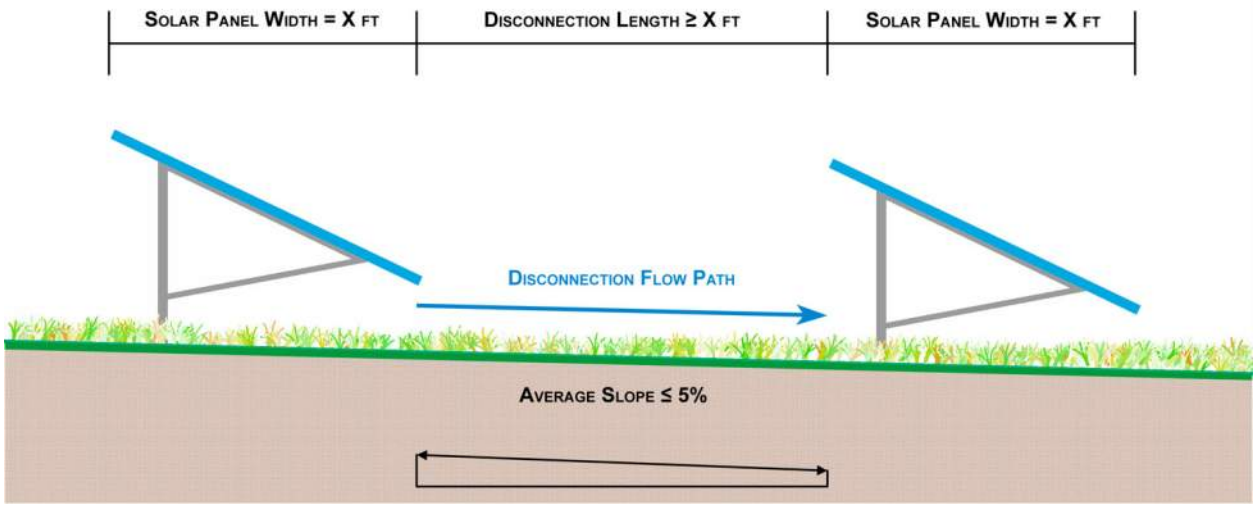


Figure 1. Typical Installation - Slope ≤ 5%

Example 2 – Using Non-Rooftop Disconnection Where the Average Slope ≥ 5% but ≤ 10%

Several rows of solar panels will be installed in an existing meadow. The soils within the meadow are hydrologic soil group (HSG) B and the average slope is greater than 5% but less than 10%. Each row of panels is 10 feet wide and the distance between rows is 20 feet. The rows of solar panels will be installed as shown in Figure 2 below. The disconnection length is the same as the distance between rows (20 feet) and is greater than the width of each row (10 feet). However, in this example, a level spreader (typically 1 to 2-foot wide and 1 foot deep) has been located at the drip edge of each row of panels to dissipate energy and maintain sheetflow.

Discussion

To meet State and local stormwater management requirements, ESD must be used to the MEP to reduce runoff to reflect forested conditions. While all reasonable options for implementing ESD must be investigated, minimally, the runoff from 1 inch of rainfall must be treated. In each of the examples above, there may be additional opportunities to implement ESD techniques or practices and reduce runoff that should be explored. However, simply disconnecting the runoff from the solar panel arrays captures and treats the runoff from 1.0 inch of rainfall. Where imperviousness is low and soil conditions less optimal (e.g., HSG C or D), this may be sufficient to completely address stormwater management requirements. In more dense applications or in sandy soils, additional stormwater management may be required.

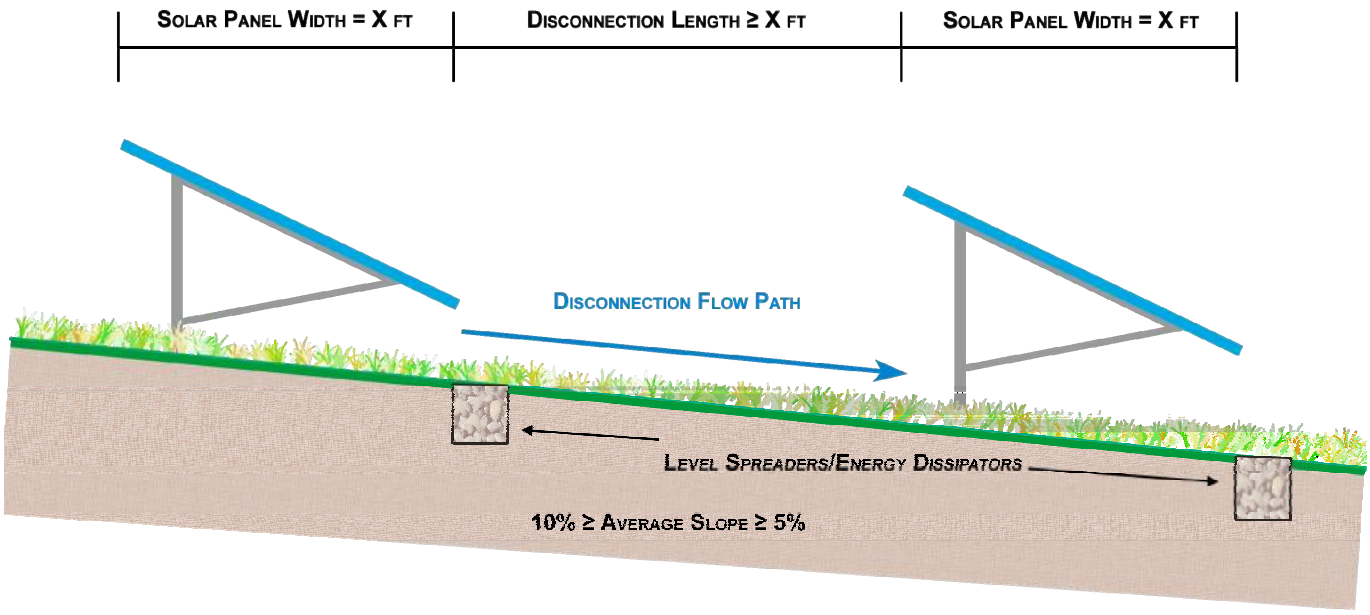


Figure 2. Typical Installation – Slope ≥ 5% but ≤ 10%

Conclusion

The primary purpose of Maryland's stormwater management program is to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources. Any land development project that exceeds 5,000 square feet of disturbance, including solar panel projects, must address stormwater management. However, for solar panels, stormwater management may be provided in a cost-effective manner by disconnecting each row of panels and directing runoff over the vegetated areas between the individual rows.

Resources

[1] 2000 Maryland Stormwater Design Manual, Volumes I and II, MDE, October 2000 (http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Pages/Programs/WaterPrograms/SedimentandStormwater/stormwater_design/index.aspx)

APPENDIX G:
CORRECTIVE ACTIONS AND SWPPP REVISIONS LOG

Corrective Action Log
SWPPP Revisions

CORRECTIVE ACTION LOG

Project Name: Riley Road Solar Array
SWPPP Contact:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person