Instruction Manual

for Stormwater Construction Permit

How to Prepare a:

Notice Of Intent (NOI)
For Stormwater Discharges
From Construction Activities in New York

Basic
Stormwater Pollution Prevention Plan

Notice Of Termination (NOT)
To Cancel Construction Permit

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Purpose of This Document

The purpose of this document is to provide instructions for preparing a Notice Of Intent (NOI) for stormwater discharges from construction activities. This document provides developers, contractors, consultants and home builders with an outline for developing a Stormwater Pollution Prevention Plan (SWPPP), which must be completed before filling out the NOI. This outline can be adapted or modified to individual site conditions. It identifies required components of SWPPPs, provides examples of narratives, forms, schedules and maps required for a SWPPP, and introduces the reference documents useful in this process.

The flow chart in Figure 1 identifies conditions in which various components of the SWPPP must be prepared. If a site is required to have a full SWPPP, this plan must be expanded to meet all the requirements of the water quality and quantity sizing criteria outlined in the New York Stormwater Management Design Manual[1]. New York Standards and Specifications for Erosion and Sediment Control[2] is the recommended document for the design of erosion and sediment control practices. All the reference documents pertaining to New York State (NYS) technical standards along with other useful guidance documents are provided either on the New York State Department of Environmental Conservation (DEC) web site, on the Instructions CD, or listed in the reference section of this document. Paper copies of both of the above documents may be ordered from the Empire State Chapter, Soil and Water Conservation Society[3].

It is recommended that you consult with a local Soil and Water Conservation District[4] (SWCD) when preparing a SWPPP. To gain expertise for preparing SWPPPs, planners are urged to attend appropriate training and workshops. Information on such opportunities may be obtained from Calendar of Stormwater Events[5]. To maintain expertise in the process of plan development, execution and inspection, professionals are encouraged to consider certification programs such as the Certified Professional in Erosion and Sediment Control[6] (CPESC) given by the Soil and Water Conservation Society[7].

DEC Central or Regional Offices[8] may be contacted for general questions on the Construction General Permit GP-02-01 and its corresponding Notice Of Intent and Notice Of Termination forms. The Stormwater Interactive Map[9] may be used to look up some basic geographic information. This Instruction Manual is available in electronic format at Stormwater Toolbox[10]. Paper copies can be obtained by calling 518-402-8109. All the references and URLs in this document are underlined and made available in the Reference section.

What is a Construction Permit Notice of Intent (NOI)?

Section 402 of the Clean Water Act requires permits for stormwater discharges from construction activities, that disturb one or more acres of land to obtain a permit. To implement the law, on January 8, 2003, the New York State Department of Environmental Conservation (DEC) issued the General Permit GP-02-01 for Stormwater Discharges from Construction Activities. The Notice of Intent (NOI) discussed in this document is the means to obtain coverage under this General Permit.

This NOI is also used for transition from the General Permit GP-93-06 (Phase I permit) to the General Permit GP-02-01 (Phase II permit). The General Permit GP-93-06 is not available to new applicants after January 8, 2003 and will expire August 1, 2003.

Before submitting the NOI, the applicant should read and understand the permit. The General Permit (GP-02-01) and the NOI are posted on the DEC's web site or can be obtained by calling 518-402-8109.

Who Must File A Notice of Intent Form?

Federal regulation 40 CFR Part 122 prohibits point source discharges of stormwater to waters of the United States without a permit issued under the National Pollutant Discharge Elimination System (NPDES). New York State is delegated by the United States Environmental Protection Agency (EPA) to administer its State Pollutant Discharge Elimination System (SPDES) program in lieu of EPA's NPDES program. The operator of a stormwater discharge which qualifies for coverage under the SPDES General Permit for stormwater must submit a NOI form in order to obtain permit coverage. Consult the General Permit for any possible restrictions on eligibility of coverage.

What is a Stormwater Pollution Prevention Plan (SWPPP)?

A Stormwater Pollution Prevention Plan is a plan for controlling runoff and pollutants from a site during and after construction activities. The principle objective of a SWPPP is to comply with the DEC SPDES Stormwater Permit for construction activities by planning and implementing the following practices:

- Reduction or elimination of erosion and sediment loading to waterbodies during construction;
- Control of the impact of stormwater runoff on the water quality of the receiving waters;
- Control of the increased volume and peak rate of runoff during and after construction;
- Maintenance of stormwater controls during and after completion of construction.

A well-designed SWPPP requires proper selection, sizing and siting of stormwater management practices to protect water resources from stormwater impacts. Erosion & Sediment Control (ESC), Water Quantity Control, and Water Quality Controls are inter-related components of a SWPPP.

What is the Process for Submitting an NOI?

The process starts before the submittal of an NOI with the development of a SWPPP and identification of the required plan elements for the kind of project you are planning.

Step 1. Identify plan components:

Use the flow chart in Figure 1 and the accompanying instructions to identify the SWPPP components needed in your plan. All sites are required to prepare an Erosion and Sediment Control plan component to control the stormwater discharge during construction. The flow chart helps identify if Water Quantity Control or Water Quality Control plan components are required and if a plan may need to be reviewed. Figures 2 a, b, c, and d delineate the geographic areas subject to the conditions identified in GP-02-01.

Step 2. Prepare your SWPPP:

A SWPPP is developed for each individual site by collecting appropriate data and conducting a site visit and evaluation of the specific site. All components of a SWPPP should be prepared and incorporated in the site plan prior to submittal to the local planning board. If the development project is phased, the SWPPP should include the entire site incorporate long-term provisions for the larger plan. The details of each component of the SWPPP should be provided in narratives, tables, schedules, maps, and construction drawings, as appropriate. A SWPPP should be ready for implementation before an NOI is submitted. The SWPPP is valid only if development of the lot proceeds in accordance with state, county or local laws and the regulations governing sediment control, land use, flood control, and environmental impact.

Step 3. Fill out the NOI:

The form is available in the following formats:

- On-line in an electronic form. Electronic filing of the NOI minimizes errors in providing information, which reduces application processing time.

- On-line PDF file for download or print.

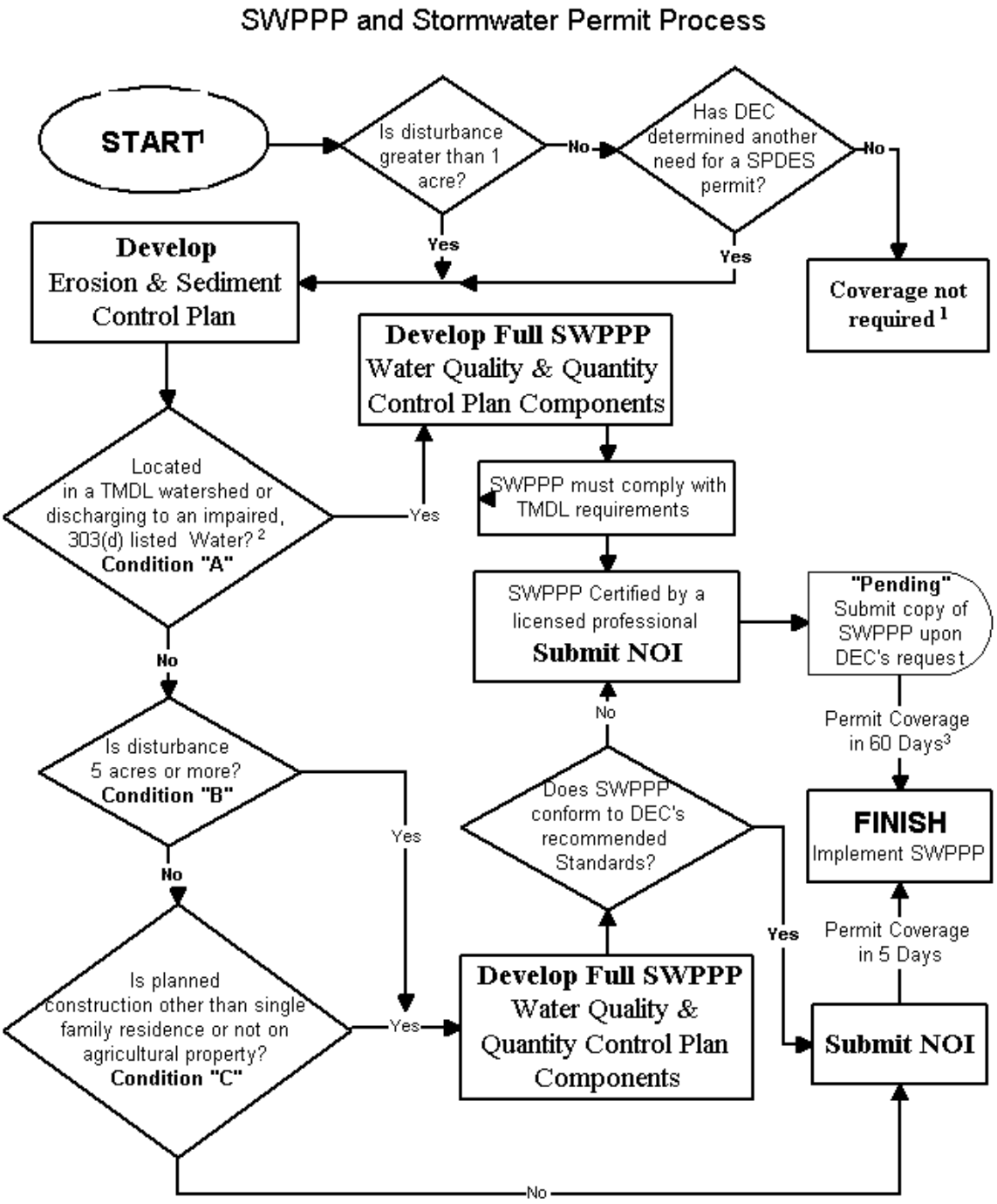
- On CD and paper copy. To order, contact DEC at 518-402-8109.

Step 4. Implement the plan:

The plan is only effective if implemented and updated as necessary. The site and this plan should be accessible at all times for inspection. Construction may begin upon receiving a letter of acknowledgment from DEC issuing a permit identification number.

Step 5. Terminate the coverage:

When the project is completed and the site is stabilized, the coverage must be terminated. To cancel your coverage under the SPDES General Permit, submit a Notice of Termination (NOT) form. Failure to submit an NOT will result in the billing of annual regulatory fees.



NOTES:

1. Under any of the above conditions other environmental permits may be required. DEC may require permit for construction disturbance < 1 acre on a case by case basis.
2. **and** the following exists: construction and/or stormwater discharges from the construction or post-construction site contain the pollutant of concern identified in the TMDL or 303(d) listing.
3. After receipt by DEC of completed application.

Figure 1- Stormwater Pollution Prevention Plan Component Flow Chart

Identifying required components of SWPPP and Stormwater Permit process

Start:

Is disturbance greater than one acre?

No➔ If the planned land disturbance is smaller than one acre and DEC has not determined another need for a SPDES permit, coverage will not be required. If another SPDES permit or other environmental permit are required for this site, DEC may require a construction permit as well. For more information on other permits visit the Uniform Procedure Act (UPA)'s web site or contact the appropriate DEC Regional Offices.

Yes➔ All sites with greater than a one acre disturbance are required to prepare and implement an Erosion and Sediment (E&SC) Control Plan.

Is the site located in a Total Maximum Daily Load (TMDL) watershed or discharging to an impaired, 303(d) listed segment?

No➔ Go to next question.

Yes➔Condition A: Water Quality and Quantity Control plan components must be prepared in addition to Erosion and Sediment Control plan.

- The SWPPP must meet the additional requirements of the TMDL program. For provisions corresponding to TMDL program areas, visit the Total Maximum Daily Loads[11] homepage. Table 1 lists the 303(d) segments subject to Condition A. For complete information on 303(d) segments visit The New York State 2002 Section 303(d) List[12]. For the most recent listing and maps of the 303(d) segments and TMDL areas subject to the Stormwater Regulation either contact DEC Regional Offices or visit the Stormwater Homepage or Stormwater Interactive Map.

- The SWPPP must be prepared and certified by a licensed/certified professional. A "licensed / certified professional" is a professional engineer or a landscape architect, licensed to practice in New York State, or is a Certified Professional in Erosion and Sediment Control (CPESC). This certification must verify that the SWPPP has been developed in a manner, which will assure compliance with water quality standards and with the substantive intent of the Construction Permit GP-02-01.

- If it is determined that a review of the plan is necessary, DEC will request a copy of the SWPPP. A 60-day review period will start when an NOI is received by DEC and application is deemed complete.

Does the site disturb more than five acres of land?

Yes➔ Condition B: Prepare a Water Quality and Quantity Control plan in addition to Erosion and Sediment Control plan.

No➔Go to next question

Is the site planned for construction other than single family residential or not on agricultural property?

Yes➔ Small construction activity that disturbs between 1 and 5 acres and is planned for land uses such as: town houses, apartment complexes, institutional (places of worship, schools, hospital, government offices, police and fire stations), industrial or commercial development, must prepare Water Quality and Quantity Control plan components in addition to E&SC plan.

No➔ Any construction activity that disturbs between 1 and 5 acres and is planned for single-family residential homes or construction on agricultural properties needs an Erosion and Sediment Control Plan only. The E&SC plan is considered a SWPPP for small sites.

Submit NOI: In general, if a SWPPP conforms to DEC's technical standards, construction may start 5 business days after DEC receives the NOI. Otherwise, allow 60 business days from the receipt of the NOI for review of the application by DEC.

Table 1- List of 303(d) segments subject to Condition A of the Construction Permit (GP-02-01)

County	Name
Albany	Ann Lee Pond (1201-0083)
Bronx	Van Cortlandt Lake (1702-0008)
Broome	Beaver Lake (0601-0066)
Broome	White Birch Lake (0601-0068)
Broome	Whitney Point Lake/Reservoir (0602-0004)
Cayuga	Little Sodus Bay (03xx-)
Chautauqua	Bear Lake (0201-0003)
Chautauqua	Findley Lake (0202-0004)
Chautauqua	Lower Cassadaga L (0202-0003)
Chautauqua	Mid. Cassadaga L. (0202-0002)
Clinton	Great Chazy River, Lower, Main Stem (1002-0001)
Clinton	Lake Champlain, Main Lake, Middle (1000-0002)
Clinton	Lake Champlain, Main Lake, North (1000-0001)
Columbia	Kinderhook Lake (1310-0002)
Columbia	Robinson Pond (1308-0003)
Delaware	West Branch Delaware, Upper, and tribs (1404-0003)
Dutchess	Fallkill Creek (1301-0087)
Dutchess	Hillside Lake (1304-0001)
Dutchess	Rudd Pond (1601-0001)
Dutchess	Wappingers Lake (1305-0001)
Essex	Lake Champlain, Main Lake, South (1000-0003)
Essex	Lake Champlain, South Lake (1000-0004)
Genesee	Leroy Reservoir (0402-0003)
Genesee	Oak Orchard Creek (0301-0014)
Greene	Sleepy Hollow Lake (1301-0059)
Jefferson	Moon Lake (0905-0093)
Livingston	Conesus Lake (0402-0004)
Madison	Deruyter Res. (0703-0004)
Monroe	Buck Pond (0301-0017)
Monroe	Cranberry Pond (0301-0016)
Monroe	Long Pond (0301-0015)
Nassau	East Meadow Brook, Upper, and tribs (1701-0211)
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)
Nassau	Grant Park Pond (1701-0054)
Nassau	Hempstead Lake (1701-0015)
Nassau	LI Tribs, fresh to East Bay (1701-0204)
Onondaga	Chittenango Creek (0703-0005)
Ontario	Honeoye Lake (0402-0032)
Orange	Greenwood Lake (1501-0001)
Oswego	Lake Neatahwanta (0701-0018)
Oswego	Oneida Lake (0703-0001)
Putnam	Lake Carmel (1302-0006)
Putnam	Oscawana Lake (1301-0035)
Richmond	Bradys Pond/Grassmere Lake (1701-0357)
Saratoga	Lake Lonely (1101-0034)
Schenectady	Schemerhorn Creek (1201-0040)
Schoharie	Schoharie Reservoir (1202-0012)
St.Lawrence	Black Lake (0906-0001)
Steuben	Lake Salubria (0502-0011)
Suffolk	Canaan Lake (1701-0018)
Suffolk	Lake Ronkonkoma (1701-0020)
Suffolk	Mattituck or Marratooka Pond (1701-0129)
Suffolk	Millers Pond (1702-0013)
Sullivan	Swinging Bridge Reservoir (1401-0002)
Tompkins	Cayuga Lake, Southern End (0705-0040)
Ulster	Esopus Creek, Upp (1307-0007, formerly 1307-0002)
Warren	English Brook (10xx-)
Warren	Finkle Brook (10xx-)
Warren	Foster Brook (10xx-)
Warren	Hague Brook (10xx-)
Warren	Indian Brook (10xx-)
Warren	Lake George (1006-0016) and tribs
Warren	West Brook (10xx-)
Washington	Cossayuna Lake (1103-0002)
Washington	Lake Champlain, South Bay (1005-0014)
Wayne	Blind Sodus Bay (03xx-)
Wayne	Port Bay (03xx-)
Westchester	Blind Brook, Lower (1702-0062)
Westchester	Blind Brook, Upper, and tribs (1702-0130)
Westchester	Hallocks Mill Brook, Lower (1302-0051)
Westchester	Lake Lincolndale (13xx-)
Westchester	Lake Meahagh (1301-0053)
Westchester	Mamaroneck River, Lower (1702-0071)
Westchester	Mamaroneck River, Upp, & minor tribs (1702-0123)
Westchester	Peach Lake (1302-0004)
Westchester	Sheldrake River (1702-0069)
Wyoming	Lake LaGrange (0402-0008)
Wyoming	Silver Lake (0403-0002)

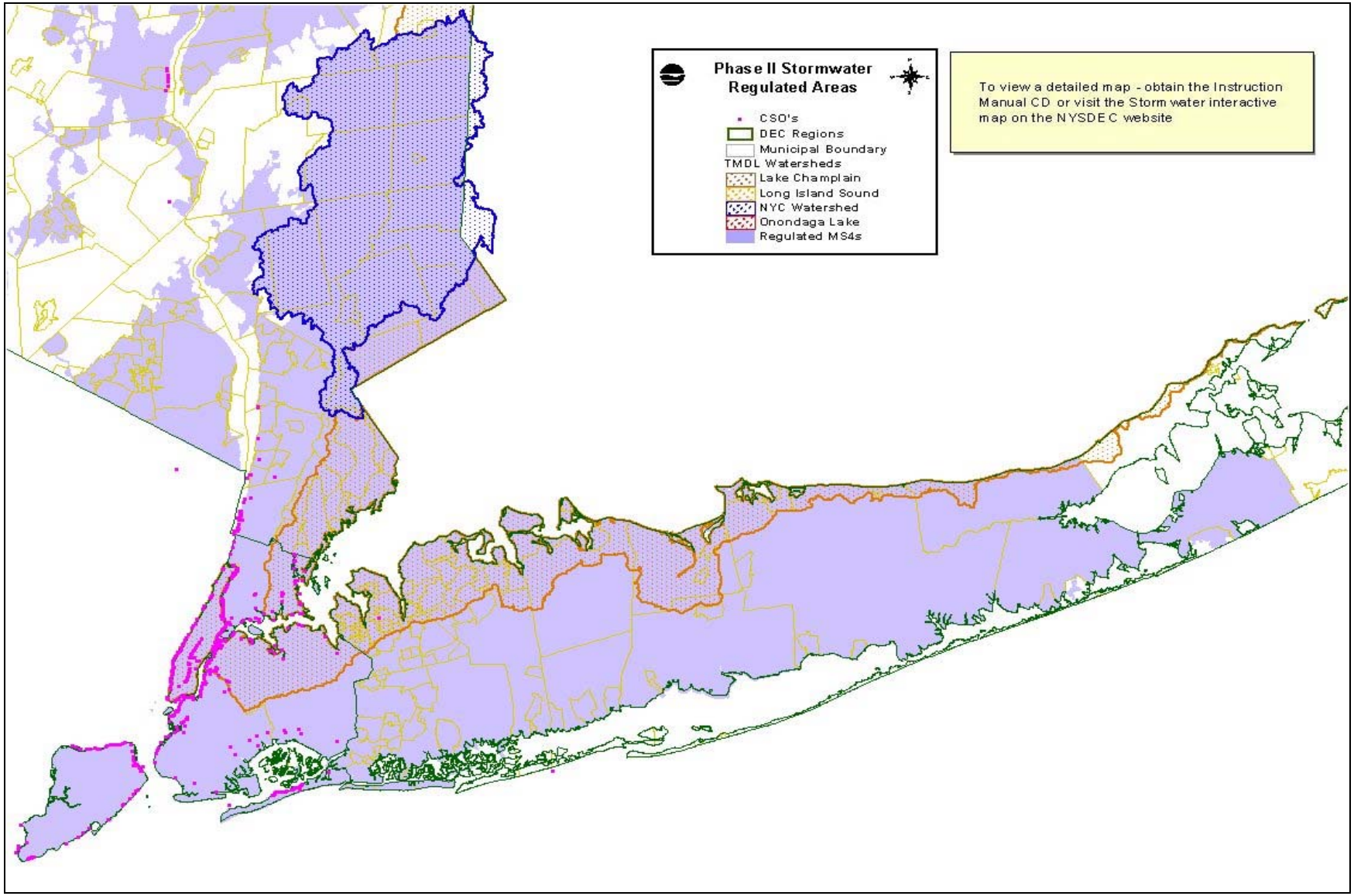


Figure 2a. Regulated MS4s and TMDL watersheds.

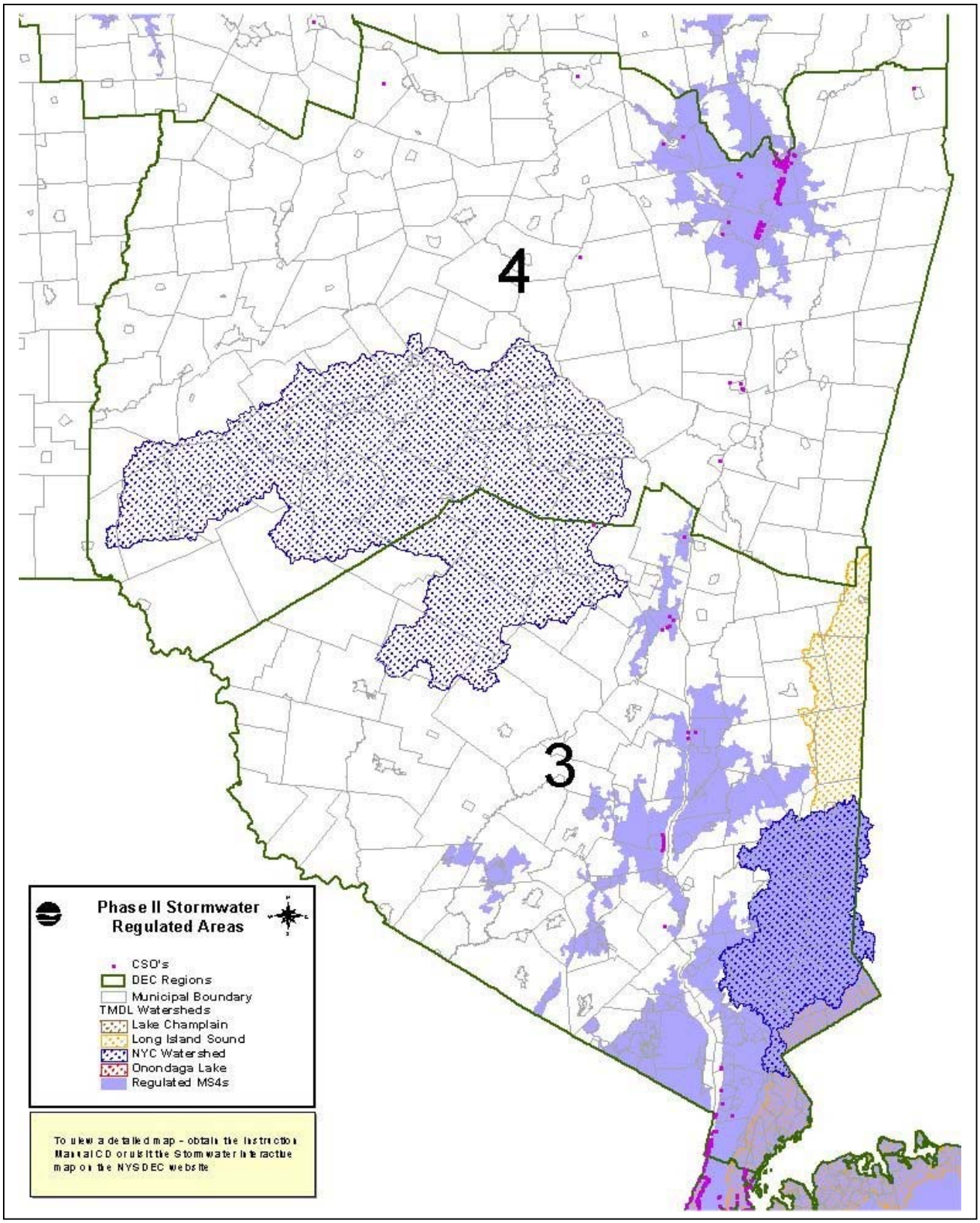


Figure 2b. Regulated MS4s and TMDL watersheds.

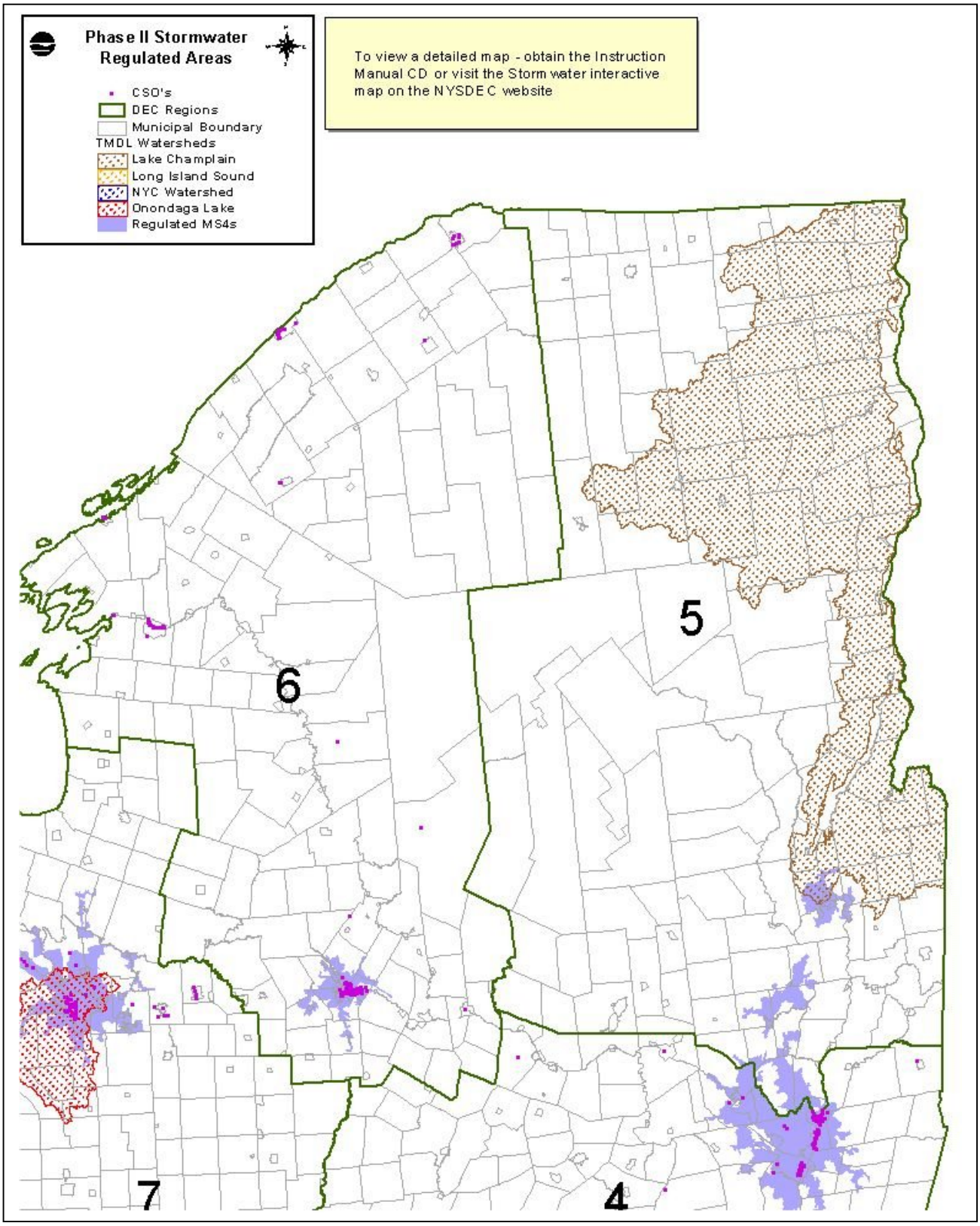


Figure 2c. Regulated MS4s and TMDL watersheds.

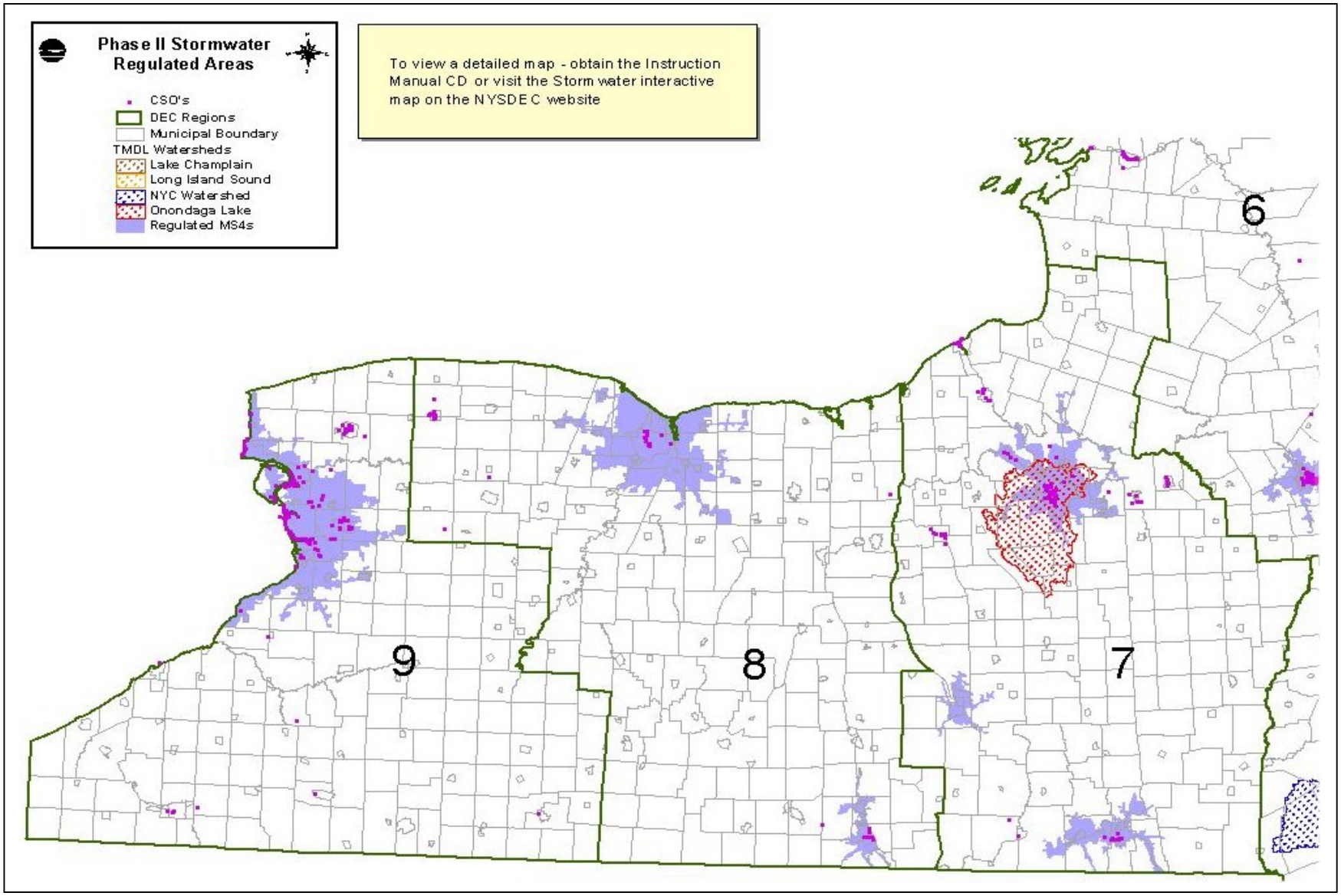


Figure 2d. Regulated MS4s and TMDL watersheds.

Basics of a Stormwater Pollution Prevention Plan

This section outlines basic planning principles that should be considered when developing a Stormwater Pollution Prevention Plan (SWPPP). All plan components should be identified and prepared prior to submittal of the NOI. At a minimum, the SWPPP must include the information required in the General Permit (GP-02-01). Applicants who decide to deviate from NYS technical standards need to prepare their plans according to the format, scale and calculation details identified in this chapter.

A SWPPP may be organized in the following format:

A. Narrative Report describes the general information about the site and the planned project.

B. Maps are used to illustrate the location of the features and technical details of the site.

C. Plan Components:

Erosion and Sediment Control

Water Quality Control

Water Quantity Control

D. Construction Sequence Schedule is a schedule of activities to be implemented during and after construction.

The outline and examples provided in this Instruction Manual may be used as a reference for developing a basic plan. However, all plans should be developed according to the characteristics of the specific site and reflect the features of that site.

More comprehensive guidance on sound planning is provided in DEC's Reducing the Impact of Stormwater Runoff from New Development[13]. This document provides valuable guidance and useful tools for planning a site in new development. However, to conform with DEC's technical standards, practices must be designed according to the specifications documented in the New York State Stormwater Management Design Manual for water quality and quantity sizing criteria and performance standards and the New York Standards for Erosion and Sediment Control for erosion and sediment control practices.

The first step in developing a SWPPP is to characterize and evaluate the site. A complete evaluation includes consideration of limitations and advantages of each individual site. This process will enable the selection, sizing and siting of practices that address the unique circumstances of a site. The following is a list of principles that an applicant should consider when developing their SWPPP. These principles are used in the plan review and evaluation of the SWPPP.

Sound Planning Principles

Planning:

• Plan the development to fit the site

• Identify limitations of site in planning process

• Minimize clearing and grading

• Blend perimeter grading with adjoining properties

• Keep soil disturbance to smallest area or a few acres at a time

• Follow the label instructions when using manufactured products

Natural Features:

• Maintain vegetative cover of designed practices

• Protect waterbodies, wetlands, wildlife & natural resources

• Protect existing natural features and cultural resources and structures

• Utilize the resources and physical features of the site in the design of stormwater controls.

• Avoid disturbance of sensitive areas and valuable resources (vegetative, water, wetlands)

Soil:

• Avoid disturbing steep slopes

• Take extra measures when disturbing highly erodible soil

• Minimize disturbing soils with low depth to bedrock

• Avoid unnecessary compaction

• Avoid infiltration practices on soils with low infiltration rates

Drainage:

• Consider drainage limitations in areas with seasonal high groundwater levels

• Try to maintain the natural drainage systems instead of constructing closed systems

• If construction of closed conveyance systems is necessary, design to convey 10-year storms

• Divide the site into natural drainage areas

• Divert the runoff from outside drainage

• Control the impact of the site to downstream areas

Post-Construction Control:

• Implement techniques to prevent point discharge, provide on-site runoff control and replicate pre-construction hydrology:

- Minimize runoff
- Minimize total impervious area
- Consider porous pavement if applicable
- Disconnect rooftops
- Disconnect impervious areas
- Flatten slope
- Increase flow path
- Increase sheet flow
- Increase roughness
- Infiltration swales
- Conserve natural areas
- Vegetative filter strips
- Vegetated open channels

A. The Narrative Report

Provide applicant information such as name, legal address and phone number on the cover sheet or attach a copy of the NOI after submission of the form.

1. Provide address and complete description of the site along with background information about the scope of the project.

2. Provide a statement of stormwater management objectives.

3. Provide a brief description of pre-development conditions:

   a. Identify the natural drainage areas and drainage points.

   b. Name the bodies of waters and wetlands and describe the drainage structures on the site or impacted by the site.

   c. Identify critical and environmentally sensitive areas such as highly erodible areas, steep slopes, natural resource conservation areas, and wildlife habitats.

   d. Identify utility lines, easements, water supply wells, and sewage treatment systems

   e. Identify soil type:

      - General description (texture, permeability, drainage capacity)

      - Hydrologic Soil Group (HSG) for hydrologic calculations

4. Describe the future site

Provide a brief description of planned post-development conditions, the stormwater runoff quality and quantity comparing to pre-development conditions, and the measures employed to maintain a safe stormwater discharge:

   a. The proposed development and the scope of the SWPPP.

   b. Disturbed area in acres

   c. Duration of activity, from__/__/__ to __/__/__(inclusive of planned winter shutdowns)

   d. Acreage, location and boundaries of proposed impervious area

   e. Future utility lines, easements, water supply wells, and sewage treatment system

   f. Define environmentally sensitive areas that will be protected from disturbance

   g. Define the divide lines of drainage areas in the future site according to proposed changes.

   h. The SWPPP should include the following pollution prevention measures:

- Identify the plan for preventing litter, construction chemicals, and construction debris exposed to stormwater from becoming a pollutant source in storm water discharges (e.g., screening outfalls, picked up daily); and
- Describe how construction and waste materials will be stored on-site and the controls planned to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.

i. If the site discharges to a TMDL or 303d segment, it is the responsibility of the applicants to identify the requirements and accommodate them in the SWPPP.
j. The responsible person(s) for implementation of the SWPPP and inspection. The plan must identify the contractor(s) and subcontractor(s) responsible for each measure and include a signed contractor certification statement.
k. An updated plan must include copies of the written summaries of compliance status that are prepared quarterly. The updated plan and required reports must be signed / certified by the permittee.

B. Maps

Attach individual maps.

1. Provide, at minimum, a 1:24,000 scale map that identifies:
   - location of the site
   - topography
   - offsite drainage area
   - bodies of water in the vicinity of the site

2. Provide a 1"=50' to 1"=100' map that shows the **existing** condition of the site including:
   - contour lines
   - drainage area
   - structures
   - natural resources and vegetative cover
   - waterbodies, streams perennial and intermittent

3. Provide individual map(s) based on the requirement of each component of the SWPPP to show all the above features for the **future** condition of the site:
   - final grading, areas of cuts and fills and change of land cover
   - future utility lines, easements, water supply wells, and sewage treatment systems
   - locations of off-site material, waste, borrow or equipment storage areas
   - points of stormwater discharge, flow patterns and discharges to a surface water

- all proposed practices: E&SC, water quality controls and water quantity controls
- boundaries of existing predominant vegetation and proposed limits of clearing

C. Plan Components

The three components of a SWPPP are: Erosion and Sediment Control; Water Quality Control and Quantity Control. The flow chart in Figure 1 can be used to determine the required components.

EROSION AND SEDIMENT CONTROL

A generic E&SC plan may be utilized for minor grading activities associated with small construction activities. Any sites with an approved standard grading plan also require an E&SC plan designed for the site at the same time as the grading plan development. The following describes basic steps in preparing an E&SC plan. A complete set of design specifications and maintenance requirements of all the E&SC practices may be found in the Department's technical standards for erosion and sedimentation control NY Standards for Erosion and Sediment Control.

Follow construction sequence scheduling. The sequence of actions in an E&SC plan is runoff control, stabilization, and then sediment control. The management practices used in each phase of the plan must be identified on the Construction Sequence Schedule and appropriate maps.

Erosion and sediment control provisions should be included for all construction activities where any excavation, stripping, filling, grading or earth movement takes place. Provide dimensional details of proposed practices. The details must include plan and vertical view (cross sectional design) calculations used in the sizing and justification for the siting of selected practices.

Step 1: Pre-Construction Actions

Resource Protection

- Evaluate, mark and protect important trees and associated rooting zones, wetlands, on-site septic systems absorption fields, etc.
- Protect existing vegetated areas suitable for filter strips, especially in perimeter areas.

Surface Water Protection

- Identify the drainage area in the plan. Divide the site into natural drainage areas.
- Divert the off-site clean runoff from entering disturbed areas.
- Identify bodies of water located either on site or in the vicinity of the site.
- Plan appropriate practices to protect on-site or downstream surface water.

Stabilize Construction Entrance

- Establish a temporary construction entrance to capture mud and debris from construction vehicles before they enter the public highway.
- Stabilize bare areas (entrances, construction routes, equipment parking areas) immediately as work takes place. Top these areas with gravel or maintain vegetative cover.

- Sediment tracked onto public streets should be removed or cleaned on a daily basis.

Perimeter Sediment Controls

- Silt fence material and installation comply with the standard drawing and specifications.
- Install silt fences based on appropriate spacing intervals. Decrease this interval as the slope increases. Silt fence should be placed on or parallel to contours where there is no concentration of water flowing to the silt fence and where erosion occurs in the form of sheet erosion. The area below the silt fence should be undisturbed ground.
- Install principal basins after construction site is assessed.
- Install additional sediment traps and barriers as needed during grading.

Step 2: Runoff and Drainage Control

Runoff Control

- Install practices after sediment traps are installed and before land grading starts.
- Control the runoff in each small drainage area before flow reaches runoff from entire site.
- Divert offsite or clean runoff from disturbed areas.
- Convey surface flows from highly erodible soil and steep slopes to more suitable stable areas.
- Runoff from existing or proposed cut and fill slopes should be redirected to lower water velocity without causing erosion.
- Final site drainage should be designed to prevent erosion, concentrated flows to adjacent properties, uncontrolled overflow, and ponding.

Runoff Conveyance System

- Stabilize conveyance system.
- Channels and streambanks need to be seeded at the outlet points.
- Install check dams to slow down the velocity of concentrated flow.
- Protect existing natural drainage systems and streams by maintaining vegetative buffers and by implementing other appropriate practices.

Groundwater Recharge

- Install practices to infiltrate the runoff on the site as much as possible.
- Provide groundwater recharge to maintain the hydrologic regime of the downstream water bodies and simulate predevelopment hydrology.
- Use infiltration practices to prevent concentrated flows.

Outlet stabilization

- Install practices to prevent erosion at discharge points.

Step 3: Grading

- Limit the initial clearing and earth disturbance to that necessary to install sediment control measures. Excavation for footings, clearing, or other earth disturbance may only take place after the sediment and erosion controls are installed.
- Stockpile the topsoil removed from the site. The topsoil should be protected, stabilized and sited in a location away from the storm drains and waterbodies.
- Changes in grade or removal of vegetation should not disturb established buffers and should not be allowed within any regulated distance from wetlands, the high water line of a body of water affected by tidal action, or other such protected zones.

- Avoid disturbance of steep slopes.
- An undisturbed buffer should be maintained to control runoff from steep slopes within sensitive areas.
- Proposed grading should not impair existing surface drainage resulting in a potential erosion hazard impacting adjacent land or waterbodies.

Step 4: Erosion Control (Stabilization)
- Implement erosion control practices to keep the soil in place.
- Stabilization should be completed immediately for the surface of all perimeter controls and perimeter slopes.
- When activities temporarily cease during construction, soil stockpiles and exposed soil should be stabilized by seed, mulch or other appropriate measures as soon as possible, but in no case more than 14 days after construction activity has ceased.
- Following initial soil disturbance or re-disturbance, permanent or temporary, stabilization should be completed within 14 days or as soon as possible.
- Apply temporary or permanent stabilization measures immediately on all disturbed areas where work is delayed or completed.
- Consult the local Soil and Water Conservation District for proper timing and application rate of seed, fertilizer and mulch.

Step 4: Sediment Control
- At any location where surface runoff from disturbed or graded areas may flow off the construction area, sediment control measures must be installed to prevent sediment from being transported off site. No grading, filling or other disturbance is allowed within existing drainage swales.
- Swales or other areas that transport concentrated flow should be appropriately stabilized.
- Downspout or sump pump discharges must have acceptable outfalls that are protected by splash blocks, sod, or piping as required by site conditions (i.e., no concentrated flow directed over fill slopes).

Step 6: Maintenance and Inspection
- Identify the type, number and frequency of maintenance actions required for stormwater management and erosion control during construction and for permanent practices that remain on the site once construction is finalized.
- Inspection must be indicated on the Construction Sequence Schedule. Inspection must be performed every 7 calendar days and immediately after periods of rainfalls greater than 0.5 inch.
- Inspection, must verify that all practices are adequately operational, maintained properly and that sediment is removed from all control structures.
- Inspection, must look for evidence of the soil erosion on the site, potential of pollutants entering drainage systems, problems at discharge points (such as turbidity in receiving water), and signs of soil and mud transport from the site to the public road at the entrance.

- Routine maintenance must be identified on the schedule and performed on a regular basis and as soon as a problem is identified.
- Identify the person or entities responsible for conducting the maintenance actions during construction and post-construction.
- Retain a copy of the inspection and quarterly reports on-site with the SWPPP.

Step 7: Finalize Grading & Landscaping

- Identify the final grading and stabilization plan once the construction is completed.
- All open areas, including borrow and spoil areas must be stabilized.
- Plan a permanent top soil, seed, sod, mulch, riprap or other stabilization practices in the remaining disturbed areas as appropriate.
- Stabilization must be undertaken no later than 14 days after construction activity has ceased except as noted in the GP-02-01.
- Remove the temporary control measures.

Step 8: Post Construction Controls:

- Identify the permanent structural or non-structural practices that will remain on the site.
- Ensure that the permanent structural or non-structural practices utilized during construction are properly designed to suit the post-construction site conditions.
- In finalizing the plan, evaluate the post-construction runoff condition on the site.
- Minimize the risk of concentrated flow and erosion.
- On-site runoff controls help reduce the risk of increased runoff velocity, erosion and point source discharge. In addition to the standard runoff and erosion control practices identified in NY Standards for Erosion and Sediment Control, some of the techniques discussed under on-site runoff control discussion may be applied.

Note:

If you are required to prepare only an Erosion and Sediment Control plan component, fill out the Construction Sequence Schedule. This will finalize your SWPPP.

If you are required to prepare a Water Quality and Quantity Control plan component, proceed to **Water Quality and Water Quantity Control Plan** discussion.

On-site Runoff Control

To minimize concentrated flow from a small site a few runoff control techniques may be implemented. These provisions help prevent point discharge and provide on-site runoff control by infiltration. The goal is to minimize runoff and replicate pre-construction hydrology. The implemented techniques allow runoff from impervious areas to be infiltrated into the soil or filtered by overland flow or other mechanisms. A sensible site design is possible by taking advantage of infiltration capacity of the pervious area of the site. Depending on site-specific situations, on-site management of stormwater runoff can be accomplished by a combination of the following approaches. For guidance on specific designs of these practices, consult the following web site:

www.stormwatercenter.net[14]. Under "Manual Builder", guidance is provided under "stormwater credits"

Conserve Natural Areas:

- Minimize total impervious area
- Conserve forest retention areas, wetlands and buffers
- Conserve lands in/on flood plains, steep slopes and open space

Disconnect Impervious Areas

- Disconnect rooftops drainage
- Disconnect other impervious areas
- Install grid pavers

Sheet Flow to Buffers

- Increase roughness
- Vegetative filter strips
- Flatten slope
- Increase flow path
- Increase sheet flow with level spreader

Use Open Channels

- Vegetated open channels
- Infiltration swales
- Install check dams

Water Quantity and Water Quantity Control Plan

A Water Quality and Water Quantity Control Plan must be designed to meet DEC's required sizing criteria and pollutant removal goals. These criteria are fully presented in the Chapter 4 and Chapter 5 of NYS Stormwater Management Design Manual. The following provides a list of information and calculations required for completing the water quality and quantity components of the SWPPP. The outline of the following plan may also be used by those who choose to deviate from DEC's standards.

Water Quality and Quantity Plan Details

Select stormwater management practices from the list of approved practices in the Chapter 5 of the Design manual that suit the future condition of the site. Identify a list of selected practices along with a brief description and siting information. Location of these practices must also be identified on a map. The SWPPP must provide dimensional details of proposed practices and include summary tables of corresponding calculations for the design of the selected practices. Use Appendix H of the Design Manual for an example checklist for final stormwater management plan preparation.

Mapping requirements:

- Ensure that in addition to the general features identified previously, maps prepared for the site illustrate at a minimum:
    - Existing and proposed topography (minimum of 2-foot contours recommended)
    - Mapping of predominant soils from USDA soil surveys as well as location of any site-specific borehole investigations that may have been performed.
    - Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains and flow paths
    - Location of floodplain/floodway limits and relationship of site to upstream and downstream properties and drainages
    - Location and dimensions of proposed channel modifications, such as bridge or culvert crossings
    - Location, size, maintenance access, and limits of disturbance of proposed structural stormwater management practices
- Prepare representative cross-section and profile drawings and details of structural stormwater management practices and conveyances (i.e., storm drains, open channels, etc.). Drawings should include:
    - Existing and proposed structural elevations (e.g., invert of pipes, manholes, etc.)
    - Design water surface elevations
    - Structural details of outlet structures, embankments, spillways, stilling basins, grade control structures, conveyance channels, etc.
    - Logs of borehole investigations that may have been performed along with supporting geotechnical report.

Hydrologic and hydraulic analysis:
Conduct a hydrologic and hydraulic analysis for all structural components of the stormwater system (e.g., storm drains, open channels, swales, management practices, etc.) for applicable design storms. The analysis should include:

- Existing condition analysis for time of concentrations, runoff rates, volumes, velocities, and water surface elevations showing methodologies used and supporting calculations
- Proposed condition analysis for time of concentrations, runoff rates, volumes, velocities, water surface elevations, and routing showing the methodologies used and supporting calculations
- Final sizing calculations for structural stormwater management practices including contributing drainage area, storage, and outlet configuration:

    - Sizing for Water Quality (WQ_v) Control: Size the selected practices based on the 90% rule methodology defined in the Chapter 4 of the Design Manual. Identify the numeric values and provide calculations for:

      $WQ_v = [(P)(R_v)(A)] /12$
      Rv = 0.05+0.009(I)
      I = Impervious Cover (Percent)
      Minimum Rv = 0.2
      P = 90% Rainfall Event Number (See Figure 4.1)
      A = site area in acres

    - Sizing for Water Quantity Controls:
        - Channel Protection (Cp_v), Default Criterion: Cp_v = 24-hour extended detention of post-developed, 1-year, 24-hour storm event.
        - Channel Protection, Option for Sites Larger than 50 Acres: Distributed Runoff Control - geomorphic assessment to determine the bankfull channel characteristics and thresholds for channel stability and bedload movement.

    - Sizing for Overbank Flood (Q_p): Control the peak discharge from the 10-year storm to 10-year pre-development rates.
    - Sizing for Extreme Storm (Q_f): Control the peak discharge from the 100-year storm to 100-year pre-development rates. Safely pass the 100-year storm event.

Note: The requirements for channel protection, overbank flood, and extreme storm controls may not be necessary when stormwater discharges to large streams or lakes. Generally, stormwater discharges to stream of the fourth order or larger will not require the stormwater quantity controls on with direct discharge to streams of fourth order or larger. For guidance on identification of stream order refer to the Design Manual or other sources such as guidelines in Physical Methods [15] for stream ordering.

- Stage-discharge or outlet rating curves and inflow and outflow hydrographs for storage facilities (e.g., stormwater ponds and wetlands)
- Final analysis of potential downstream impact/effects of project, where necessary
- Dam breach analysis, where necessary

Finalize landscaping:

- Final landscaping plans for structural stormwater management practices and any site reforestation or revegetation
- Provide structural calculations and construction specification, where necessary

Maintenance plan:

Maintenance plan must include:

- Name, address, and phone number of responsible parties for maintenance.
- Description of annual maintenance tasks
- Description of applicable easements
- Description of funding source
- Minimum vegetative cover requirements
- Access and safety issues
- Testing and disposal of sediments that will likely be necessary
- Evidence of acquisition of all applicable local and non-local permits
- Evidence of acquisition of all necessary legal agreements (e.g., easements, covenants, land trusts)

D. Schedule 1- Construction Sequence Scheduling

Prepare a schedule for activities during and after construction. Define the sequence of implementing the E&SC and water quality / quantity control practices identified in your SWPPP. This schedule must identify activities during the period prior to soil disturbance through site stabilization. Also identify the inspection and maintenance measures during and after construction. Quantity of practices may be identified by the number of units or any other type of measures identified in the SWPPP. All the planned activities should be marked on corresponding maps. A copy of the schedule along with the maps should be available at the construction site.

Type	**Activities** *(Identify name of planned practices)*	**Number** *(Quantity)*	**Map Symbols**	**Start(Date)----End(Date)** Pre During Post	**Maintenance Actions**
1- Pre - Construction Actions					
2- Runoff & Drainage Control					
3- Grading					
3-Erosion Control					
5-Sediment Control					
M6-Maintenance, Inspection & Plan Update					
7-Finalize Grading & Landscaping					
8- Post construction SW Mgmt.					

Table of Reference Information

This table is intended to provide general guidance. All the selected practices must be designed based on the specifications defined in the NY Standards and Specifications for Erosion and Sediment Control and NYS Stormwater Management Design Manual.

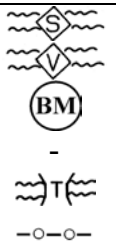
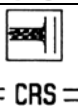
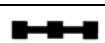
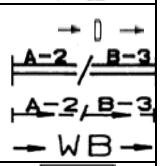
Phase	Type	Definition	Life Span (year)	References	Map Symbol
1- Pre-construction Actions	**Resource Protection:**	Mark and protect important natural resources	1-10+	Preserving Natural Resources[16] Protecting Vegetation	
	Surface Water Protection:	Identify and protect bodies of water	10+ 5-10 2 1	Structural or Vegetative Streambank Protection Brush Matting Vegetated Buffer Temporary Access Waterway Storm Drain Diversion	
	Stabilized Construction Roads:	Minimize the sediment attached to motorized vehicles leave the site. Stockpile and stabilize topsoil.	1-2	Construction Entrance Construction Road Stabilization	
	Perimeter Sediment Control:	Measures to reduce runoff velocity and effect deposition of transported sediment load.	½- 1	Silt Fence Brush Barrier	
			1-2 1	Sediment Traps Perimeter Dike or Swale	
2. Runoff & Drainage Control	**Runoff Control:**	Control runoff by diverting the flow and reducing the volume, velocity and rate of discharge.	10+ 1 1 2	Diversion Temporary Swale Earth Dike Water Bar	
	Runoff Conveyance System:	Install practices to stabilize conveyance system.	½-1 10+ 1	Storm Drain Inlet Protection Lined Waterway Check Dam	

Table of Reference Information

This table is intended to provide general guidance. All the selected practices must be designed based on the specifications defined in the NY Standards and Specifications for Erosion and Sediment Control and NYS Stormwater Management Design Manual.

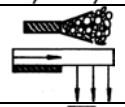
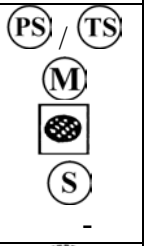
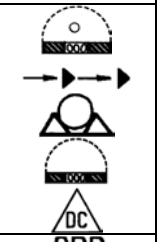
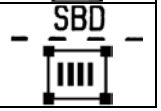
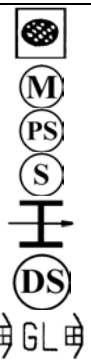
Phase	Type	Definition	Life Span (year)	References	Map Symbol
	Groundwater Recharge	Install infiltration practices.	½ 10+ 1	Sump Pit Subsurface Drain Pipe Slope Drain	
	Outlet stabilization	Install practices to prevent erosion at discharge point	10+	Rock Outlet Protection Level Spreader	
3. Grading	**Grading**	Minimize grading, pile topsoil; additional E&S control/clear disposal areas simultaneously.	10+	Land Grading Surface Roughening	
4- Erosion Control	**Stabilize Cleared Areas / Stockpiles** **Protect Steep Slopes**	Keep the soil in place. Stabilize disturbed areas by temporary/permanent seeding, mulching, sodding, riprap, or chemical stabilization.	1-10+ variable	Permanent / Temporary Seeding Mulching Top Soiling Sodding Recreational Area Improvement Chemical Stabilization	
5- Sediment Control	**Perimeter Controls/ Sediment Trapping**	Install additional sediment trapping devices after grading & during construction to control sediment before runoff leaves the site.	10+ 1 2 1-2 < month variable	Sediment Basins Check Dam Portable Sediment Tank Sediment Traps Turbidity Curtain Dust Control	
	Sediment Filters	Install sediment-filtering devices.	Temp.	Straw Bale Dike Storm Drain Inlet Filter	

Table of Reference Information

This table is intended to provide general guidance. All the selected practices must be designed based on the specifications defined in the NY Standards and Specifications for Erosion and Sediment Control and NYS Stormwater Management Design Manual.

Phase	Type	Definition	Life Span (year)	References	Map Symbol
6-Maintenance	**Inspection, Maintenance, Waste Management, Plan up-date.**	Define inspection schedule, construction waste / hazardous waste control and disposal, vehicle and equipment maintenance, maintain practices and update plans as appropriate.	Temp.	Maintain E&SC Measures Construction Site Waste Mgmt. Vehicle Maintenance Inspection and Maintenance Spill Prevention and Control	
7- Finalize Grading & Landscaping	**Stabilize disturbed Areas** **Protect Steep Slopes**	Stabilize soil by permanent seeding, mulching, sodding, riprap, bio-engineering practices, retention walls, geotextile	10+	Top Soiling Mulching Permanent Seeding Sodding Recreational Area Improvement Grade Stabilization Structure Bio-Technical Controls Dune Stabilization Vegetative / Grassed Waterway	
8- Post Construction SW Management	**Installation and Maintenance of Post-Construction SMPs.**	Prevent point discharge, mimic pre-construction hydrology, and provide on-site infiltration.		Any permanent management or structural erosion, sediment and runoff control practices. On-site runoff control	
		Develop a Water Quality and Water Quantity Control Plan Components		Conformance with the recommended technical standards defined in: NYS Stormwater Management Design Manual	

Notice of Intent Instructions

Who Must File A Notice of Intent Form?

The operator of a stormwater discharge which qualifies for coverage under the SPDES General Permit for construction must submit a NOI form in order to obtain permit coverage. Consult the general permit for any possible restrictions on eligibility of coverage. In order to cancel your coverage under the SPDES General Permit, you must submit a Notice of Termination (NOT) form.

Where to File the NOI

Once completed, the NOI should be completed and sent to:

NYS DEC "Notice of Intent"
Bureau of Water Permits
625 Broadway, Albany, NY 12233-3505

Completing the NOI:

There are several options for completing NOI:

- Submit it on-line through an electronic form. Electronic filing of the NOI minimizes errors in providing information, which reduces application processing time. Electronic NOI (E-NOI) is available at Stormwater Toolbox.
- Download or print out the on-line PDF file and mail it in.
- Obtain a CD or a paper copy. To order contact DEC at 518-402-8109.

Either print legibly or type all information. After sending the completed and signed NOI, an acknowledgment will be returned to the sender. **Please note**: **The NOI form may not be submitted before a SWPPP is prepared.**

All applicants are encouraged to file their NOI electronically. This method of filing is preferred because it will provide DEC with more accurate location information, which results in faster processing of the application. For electronic filing of your NOI, visit DEC's Stormwater Toolbox.

Section 1 - Applicant/Activity Info (Items 1-7)

1.Give the legal name of the person, firm, public organization, or any other entity that is responsible for the operation of the facility or site described in Section II. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation rather than the plant or site manager. Do not use a colloquial name.

2. **a.** Enter the **Mailing Address** of the owner or operator.
   b. Enter the **City** of the owner or operator.
   c. Enter the **State** of the owner or operator.
   d. Enter the **ZIP code** of the owner or operator.

3. Enter the contact person information:
   a. Enter the **First Name** of the **contact** person.
   b. Enter the **Last Name** of the **contact** person.
   c. Enter the **Phone Number** of the **contact** person.
   d. Enter the **Email Address** of the **contact** person.

4. State the site or project information**:**

   a. Enter the **Site or Project's Official or Legal Name**. If there is not a specific name for the site (e.g. a single family home), enter "Property of" followed with the owner's name.
   b. Enter the **Existing Use** of the site. Select from the Land Use Types list. The existing use identifies the predominant type of the property or use of the site.

Land Use	**Abbreviation**
Forest	FOR
Pasture	PAS
Open Land	OPL
Low Density Residential	LDR
Medium Density Residential	MDR
High Density Residential	HDR
Town home Residential	THR
Multifamily Residential	MFR
Institutional	INS
Industrial	IND
Commercial	COM
Highway/Road	ROD

5. Enter the complete address of the site. This is the address where the site is **physically located** and cannot be a post office box.

   a. Enter **Street Address** of the site.
   b. Enter the **City** (municipality such as town, city or village) where the site is physically located. This is not necessarily the city name used for the mailing address.
   The **State** code is automatically entered as NY. This permit is only issued for the sites located in the State of NY.
   c. Enter the **ZIP** code of the area in which the project/site is located.

6. Enter name of the **County** where the project is located.

7. Provide the geographic coordinates of the site. Applicants may obtain this information from various sources; however data must be entered on the form either in New York Transverse Mercator (NYTM as easting/northing) or Geographic Coordinate (longitude/latitude) format. Please note NYTM is defined as UTM, Zone 18, meters, extended east & west to cover all of NYS. Applicants may choose to look up this information from:

i. The Stormwater Interactive Map on DEC's web site. This map provides a tool for locating the coordinate of the site, which returns the data in NYTM format. The data provided in NYTM format must be entered in 6 digits for X (easting) and 7 digits for Y (northing) (example 586130, 4884956).

ii. The USGS 7.5 minutes quad sheets. Data must be entered in six digit format by identifying degree, minute, second for X (longitude) and Y (latitude) (example 73 55 25 west, 44 06 46 north).

iii. A global positioning system (GPS) or a Geographic Information System software. Enter the X & Y coordinate data in the format explained above.

iv. Electronic NOI. Applications that are filed electronically are provided a mapping tool to identify the location of the site. The X & Y coordinates are entered on the form automatically.

Section II - Disturbance Activity/Discharge Characteristics (Items 8-16)

"**Disturbed Area**" means all areas where vegetation is removed and soil is exposed due to clearing, grading or excavation during the construction activities. When calculating the "total amount of disturbed area" on a contiguous site where multiple, separate and distinct construction activities are occurring, the applicant must take a total of the disturbed area from each of the distinct activities. For projects where the construction activity will be phased, the applicant must consider the land area that will be ultimately disturbed when calculating the "amount of disturbed area."

8. Enter the **Future Use** of the site. Select from the Land Use Type list. This information identifies the predominant type of the property or use of the site.

9. Enter the **Duration of Construction Activity** (inclusive of planned winter shutdowns). This information must be entered in an 8- digit format (MM/DD/YYYY).

a. Enter the date when the project **Starts**.
b. Enter the date when the project **Ends**.

10. Enter the **Total Acreage** of the planned development or sale of the site. Unit of the area is in acres.

11. Total Amount of the A**rea that will be Disturbed** during construction in acres. The total amount must include the area of overall plan of development or sale.

12. Enter the **Hydrologic Soil Group** of the site. This information can be obtained from the County soil survey (contact your local Soil and Water Conservation District). The soil may be identified as in the A, B, C or D group. If the soil within the site varies, the predominant soil group should be used. This information appears in your completed SWPPP.

13. Enter the **Maximum Slope** of the disturbed area in percentage. The percentage is calculated by dividing rise by run for a maximum run of 20 feet. This information appears on your completed SWPPP.

14. Provide the **percentage of impervious** area. This percentage is calculated by dividing the acreage of paved areas and rooftops by the total acreage of the site. This information appears on your completed SWPPP.

a. Enter the percentage of the **Existing Impervious** areas before construction begins. This information appears on your completed SWPP.

b. Enter the percentage of the **Future Impervious** areas that are planned to remain on the site after completion of construction. This information appears on your completed SWPP.

15. Verify whether a **Permanent Stormwater Management Practice** will remain on the site after construction is finalized. This information appears on your completed SWPPP. Check either Yes or No.

16. Verify whether this is a **Phased Project**. A phased project is a project that is to be conducted over a long period of time where multiple construction activities may occur on a contiguous area, or where multiple coverage may be sought for the same site. The disturbance threshold does not apply only to a "snapshot" of disturbance at a given time but to the long term plan of development where construction may stop and restart under a new permit coverage.

Section III - Receiving Systems (Items 17-21)

17. Verify whether the site is in a **regulated 100-year flood plain**. Encroachment into the special flood hazard area should be allowed only in compliance with local restrictions adopted for community participation in the **National Flood Insurance Program (NFIP)**. This information appears on your completed SWPPP.

18. Verify whether the site is located within the **New York City (NYC) Watershed**. This watershed consists of land areas that drain to the NYC water supply reservoirs. This information appears on your completed SWPPP. To answer this question, consult the Stormwater Interactive Map.

19. Verify whether runoff from the site enters a storm sewer or ditch maintained by a local (town, city, village, county), or Federal or State government unit (Municipal Separate Storm Sewer system, or MS4). If the answer to this question is "no," skip to question 20. If the answer to this question is "yes:"

a. Identify the government unit owning the storm sewer (e.g., Town of Guilderland, State DOT, etc.) In most cases this is the name of the government unit where the project is located and where a building permit is issued for the construction. Because drainage systems do not necessarily follow political boundaries, you may want to verify this information by consulting the government unit that operates the storm sewer system.

b. Verify whether the MS4 is a **Regulated MS4** as defined under 40 CFR Section 122.32. To obtain this information, applicants may contact DEC or the government unit where the site is located or they may look up the name of the government unit of the area where the project is located by visiting Stormwater Interactive Map. If you don't know the answer to this question, answer "don't know."

c. Verify whether the MS4 has a **SPDES permit** for the storm sewer system. To answer this question, contact the MS4 in which the project is located or the DEC Regional Offices. If you do not know the answer to this question, check "don't know."

d. Verify whether the runoff from the site is tributary to a Combined Sewer Overflow. Areas served by Combined Sewer Overflow are areas where sewage and stormwater are transported in a single system of pipes. If the stormwater is discharged to a body of water or collected by a municipal separate storm sewer system, that area may not be tributary to a CSO. To identify the type of collection system, applicants should contact their municipalities.

20. Identify the nearest surface waterbody into which the runoff flows. The applicant is required, as a part of the SWPPP, to identify if there are any surface waters into which construction site may drain. If the runoff from the site, totally or in part, does not drain to a municipally operated ditch or storm sewer system, it may drain directly or indirectly by overland flow, to a surface waterbody. Provide the name of the permanent or intermittent waterbody (according to the definition of the Waters of the State or Waters of the United States in the SPDES General Permit for Stormwater, GP-02-01) into which the stormwater will be discharged. Any stream crossing or the alteration of a protected stream, including installation of stormwater conveyance systems, will require an **Article 15**, **Protection of Water Permit**, and may require an **Article 24, Freshwater Wetlands Permit**. If this body of water does not have a name, the applicant may state "unidentified." Do not leave blank.

21. Verify whether the runoff discharges to receiving water identified as a **303(d)** listed segment or **TMDL** water. The 303(d) list and reports on the TMDL program areas are published by DEC. DEC Regional Offices may be contacted for a copy of these reports. Information on these segments and program areas may be found at The New York State 2002 Section 303(d) List and Total Maximum Daily Loads. To identify the segments that meet these conditions, consult the Stormwater Interactive Map. See the list of 303(d) segments and reports on TMDL waters, as well as corresponding maps, in this Instruction Manual.

Section IV - Stormwater Pollution Prevention Plan (Item 22-24)

The SWPPP must be prepared prior to filling out this section.

22. Identify the required components of SWPPP by following the SWPPP Component and Permit Process flow chart in **Figure 1** of this Instruction Manual.

a. Operators of all sites with greater than 1 acre of disturbance are required to prepare and implement an **Erosion and Sediment Control Plan**. The plan components must be identified prior to SWPPP development.

b. All sites meeting the conditions listed below and as defined in the GP-02-01 must have **Water Quality and Quantity Control Plan components** in addition to Erosion and Sediment Control Plan:

- All sites located in the land areas tributary to Total Maximum Daily Load (TMDL) areas.
- All sites discharging to any waterbody segment listed on the 303(d) list.
- All sites that disturb more than five acres.
- Small construction activity, disturbing between one and five acres of land, exclusive of the construction of single-family residences and construction activities at agricultural properties. Some examples of construction activities that will need all components of the SWPPP include:

  Town Houses and Apartment Complexes
  Institutional (places of worship, schools, hospitals, government offices, police and fire stations)
  Industrial Development
  Commercial Development
  Highway/Road

23. Verify whether a Construction Sequence Schedule has been prepared. The Construction Sequence Schedule lists all the management, structural or non-structural and temporary or permanent practices planned for construction and post construction. This schedule shows the timing of installation of all the management practices identified in each component of the SWPPP.

24. Verify whether your plan conforms to NYSDEC and local government requirements. Both questions 24a and 24b must be answered.

a. If the project is within the jurisdiction of a local government, the SWPPP also needs to conform to their requirements. Answer yes or no, then go to 24b.

If the local government does not have stormwater management control requirements answer 'yes', then go to 24b.

b. If your plan does not conform to NYSDEC requirements, then you must provide the supplemental information required in Section V in your SWPPP. If your SWPPP conforms to the Department's technical standards, answer yes and go to **Section VI of the NOI**.

If the answer to 24b is NO, go to Section V of the NOI.

Section V - Supplemental Information (Item 25)

25. Verify whether your SWPPP is certified by a certified/ licensed professional. A "licensed/certified professional" is a professional engineer or a landscape architect licensed to practice in New York State, or is a Certified Professional in Erosion and Sediment Control (CPESC). The certification must verify that the SWPPP has been developed in a manner that will assure compliance with water quality standards and with the substantive intent of the Construction Permit GP 02-01.

Your SWPPP must include a section justifying any non-conformance to the State's technical standards. This justification must include the following:
i. State each deviation from State requirements.
ii. State the reasons for each deviation and supporting adopted alternatives.
iii. Include an analysis of the water quality impacts.
A summary of the above statements (not exceeding 600 characters) must be provided in the

Do not send the SWPPP to DEC, unless DEC requests it. The professional certification must be dated and be made available upon DEC's request. Allow 60 business days from the receipt of your completed application for permit processing. This time period provides DEC an opportunity to review the application and supporting information. Applicants will receive an NOI acknowledgment letter containing a permit identification number and an authorization date. If additional information is needed from you after the submittal of your NOI, you will be notified by appropriate DEC Regional Office. Applicant may proceed with construction after 60 business days, unless otherwise notified via mail.

NOTE: This section is <u>not</u> intended to provide a relief mechanism to local MS4 requirements.
Go to Section VI

Section VI - Reviews and Approvals (Items 26 – 29)

26. Verify if a third party has reviewed the plan. Operators are encouraged to have their SWPPPs reviewed for adequacy and completeness by the local soil and water conservation district (SWCD) and/or other professionals qualified in erosion and sediment control practices and stormwater management.
Many of the SWCD offices have staff who are knowledgeable not only in the field of pollution prevention but about specific local water quality concerns in their counties. Answering "none" to this question is not acceptable if certification is required due to discharge to sensitive waters or deviation from DEC's technical standards.

27. Verify whether other DEC permits are required for this construction project or if other DEC permits are already issued for this project (e.g. GP-93-06, non-stormwater SPDES permit, SEQR). **If the answer to 27 is no, skip to question 29.**

28. **Providing accurate information to these questions, helps accelerates permit processing time.**

a. If this NOI is submitted to continue previously issued coverage under the general permit for stormwater runoff from construction activities (GP-93-06), indicate the SPDES reference number assigned under GP-93-06, starting with NYR1.

b. If SPDES permits other than GP-93-06, are issued for this site, indicate the permit number. If multiple SPDES permits are issued for this site, providing only one of the permit numbers is sufficient for this purpose.

c. Under any of the conditions described in Figure 1 of the Instruction Manual, other environmental permits may be required. DEC may require permits for disturbances less than 1 acre on a case-by-case basis. Visit the DEC website at http://www.dec.state.ny.us/website/dcs/upa/upa_permits.html or contact your DEC Regional office to find out whether you need to obtain other permits. If there are other DEC permits issued for this site, provide one of those permit numbers.

Applicants are responsible for identifying other DEC-required SPDES or UPA permits and fulfilling their requirements. The municipality(s) involved must consider the environmental impacts of construction projects before granting approval(s). Caution: SEQRA review and/or municipal approvals may be required in addition to SPDES permitting.

29. Verify whether a copy of your SWPPP has been submitted to the governing jurisdictions. Applicants are responsible for identifying other locally required permits and fulfilling their requirements.

New York City has enacted various land use controls that affect certain construction projects in areas tributary to their drinking water reservoirs. Similarly, the Lake George Park Commission and the Adirondack Park Agency have enacted regulations, which impact construction activity. Other municipalities and agencies of New York State may have adopted similar legislation. It is the responsibility of the operator to comply with any and all such regulations. Filing a NOI does not supercede or negate the necessity of complying with other local laws that affect stormwater management. It is important that operators inform local governments about their project and obtain necessary local approvals before starting work.

Section VI – Details:

Use this area to supply any explanations or additional information you feel is necessary concerning this NOI. Those who answer "no" to question 24b must use this space to provide a summary of their deviation justification. State each deviation from the State's recommended Technical Standards, the reasons supporting the deviations and alternative practices, and an analysis of the water quality impacts. This summary must be typed and may not exceed 600 characters.

Section VIII - Certification

Read the certification statement carefully. There are severe penalties for submitting false information on this application form.

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 also certify under penalty of law that this document and the corresponding documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) 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 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) 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 agree to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

30. This form must be signed by the following person:
For a Corporation: By a responsible corporate officer, which means: (i) 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, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

For a partnership or sole proprietorship: By a general partner or the proprietor; or

For a municipality, state, federal, or other public facility: By either a principal executive officer or ranking elected official.
Fill out the corresponding information for any of the above conditions that apply. The person signing this form must provide the following information:

a. Printed Name
b. Title/Position
c. Phone
d. E-mail
e. Date

Submit the signed and dated form to DEC.
By this signature, applicant is obligated to implement the SWPPP and update this plan as needed.

Notice of Termination Instructions

Who Must File A Notice of Termination (NOT) Form?

The operator of a stormwater discharge who obtained coverage under the SPDES General Permit for construction (GP-93-06 or GP-02-01) must submit an NOT form in order to cancel the permit coverage. To obtain a form visit DEC's Stormwater Toolbox or contact DEC at 518-402-8109.

Where to File the NOT

Once the form is completed, it should be sent to:

NYS DEC "Notice of Termination"
Bureau of Water Permits
625 Broadway, Albany, NY 12233-3505

First Identify your Permit Identification Number.

Section I - Applicant/Activity Info (Items 1-3)

The same information as you provided in your NOI form.

Section II – Site / Activity Information (Item 4-6)

The same information as you provided in your NOI form.

Section III – Reason for Termination (Item 7)

Verify whether the project is finalized. If the permit coverage is terminated for other reasons, briefly explain in the space provided on the form.

Section IV – Final Site Information (Items 8a-8e)

8a.Verify whether any permanent stormwater structures will remain on the site after permit coverage is terminated. If the answer to this question is no, go to question 8e. If the answer is yes, go to question 8b.
8b.Verify whether the permanent practices are explained in technical details in your SWPPP.
8c. Verify whether the new owner is notified of all the long-term operation and maintenance responsibilities related to the stormwater control practices.
8d. Identify the responsible party for performing the long-term maintenance.
8c. Provide the final percentage of impervious areas on the site.

Section V – Certification

Certify your agreement with the statement that appear on the form by signing the NOT form. The person who signs the form must provide name, title / position, mailing address, telephone number and email address.

Reference:

[1]- New York State Stormwater Management Design Manual. NYS Department of Environmental Conservation (DEC). October 2001. Albany, NY.

<http://www.dec.state.ny.us/website/dow/swmanual/swmanual.html >

[2] New York Guidelines for Urban Erosion and Sediment Control, Fourth printing. NYS Environmental Conservation Department , USDA- Natural Resources Conservation Service. April 1997. Syracuse, NY.

3- Publication Order Form. Empire State Chapter of Soil and Water Conservation Society, Cayuga County Soil and Water. 7413 County House Road. Auburn, NY 13021. Feb. 2003

<http://www.dec.state.ny.us/website/dow/swmanual/swcsorderform_v1.pdf>

[4] - New York State Soil & Water Conservation Committee Home Page. New York State Soil and Water Conservation Committee. 20 Feb. 2003

< http://www.nys-soilandwater.org/>

[5] - Calendar of Stormwater Events. NYS Department of Environmental Conservation. Feb. 2003.

<http://www.dec.state.ny.us/website/dow/calendar.html>

[6] Certified Professional in Erosion and Sediment Control. Soil and Water Conservation Society, Feb. 2003 <http://www.swcs.org/t_orglinks_cpesc.htm>

[7] Soil and Water Conservation Society home page, Soil and Water Conservation Society. Feb. 2003

< http://www.swcs.org/>

[8] DEC Regional Offices. NYS Department of Environmental Conservation, 20 Feb. 2003.

<http://www.dec.state.ny.us/website/about/abtrull3.html>

[9] Stormwater Interactive Map. NYS Department of Environmental Conservation. Feb. 2003.

<http://www.dec.state.ny.us/website/imsmaps/urbanmap>

[10] Stormwater Toolbox, New York State Department of Environmental Conservation. Feb. 2003. <http://www.dec.state.ny.us/website/dow/toolbox.htm>

[11] The Total Maximum Daily Load. NYS Department of Environmental Conservation. Feb. 2003.

<http://www.dec.state.ny.us/website/dow/tmdl.html>

[12]The New York State 2002 Section 303(d) List of Impaired Waters Requiring a TMDL and Consolidated Assessment and Listing Methodology. NYS Department of Environmental Conservation. Feb. 2003.

< http://www.dec.state.ny.us/website/dow/303dcalm.html>

[13] Reducing the Impacts of Stormwater Runoff from New Development. NYS Environmental Conservation Department, Albany, NY 1992.

[14] Manual Builder. Stormwater Manager's Resource Center, The Center for Watershed Protection. Feb. 2003

<www.stormwatercenter.net>

[15] Physical Methods, Exploring the Environment (ETE) web page. Feb. 2003

<http://www.cotf.edu/ete/modules/waterq/wqphysmethods.html>

[16] National Menu of Best Management Practices for Storm Water Phase II, United States Environmental Protection Agency (EPA), 20 Feb. 2003

<http://cfpub.epa.gov/npdes/stormwater/menuofbmps/con_site.cfm>