nationalgrid

Lockport-Batavia Line #112

Rebuild Project

EM&CP Update

Replacement Appendix G
(SWPPP)

(Revised January 2026; Replaces Version Filed June 2025)

Part 1 of 5

nationalgrid

Lockport-Batavia Line #112
Rebuild Project

Appendix G

Stormwater Pollution Protection Plan

June 2025 (Revised January 2026) Case 22-T-0654

June 2025
Revised: January 2026

Stormwater Pollution Prevention Plan for
NATIONAL GRID
LOCKPORT BATAVIA #112
ARTICLE VII

Towns of Lockport, Royalton, and Alabama,
Niagara and Genesee Counties, NY

Prepared for:

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TABLE OF CONTENTS

APPENDICES

Appendix A – SWPPP Permit Coverage Forms
- NYSDEC Notice of Intent (NOI)
- MS4 Acceptance Form
- SWPPP Preparer Certification Form
- Owner/Operator Certification Form

Appendix B – NYSDEC Acknowledgement of NOI Letter
Appendix C – Location Map/Soils Information
Appendix D – Associated Local, State and Federal Permits and Correspondence
Appendix E – Pre-Construction Requirements and Contractor Certifications
Appendix F – Stormwater Construction Site Inspection Reports
Appendix G – NYSDEC Notice of Termination (NOT)
Appendix H – Spill Containment and Cleanup Procedures
Appendix I – Erosion and Sediment Control Plans and Details and Construction Drawings
Appendix J – BMP Quantities
Appendix K – Construction Contact List
Appendix L – SWPPP Amendments
Appendix M – SPDES General Permit
Appendix N – Post-Construction Maintenance Requirements (O&M Plan)
Appendix O – Stormwater Management Report
- PCSM Drainage Area Maps
- Hydrologic Modeling Reports (Pre & Post Construction)
- Green Infrastructure Worksheets

Appendix P – New York Utility Company BMP for Preventing the Transportation of Invasive Species
Appendix Q – Hydraulic and Hydrology Calculations for Proposed Culverts
- Culvert Drainage Area Maps
- Hydrologic Modeling Reports
- Box Culvert Designs

Appendix R – Wetland/Watercourse Delineation Report
Appendix S – FEMA Firm Panels

1. DEFINITIONS & ACRONYMS

DEFINITIONS

Commencement of construction: the initial disturbance of soils associated with clearing, grading, or excavation activities, or other construction activities that disturb or expose soils such as demolition or stockpiling of fill material, and the initial installation of erosion and sediment control practices required by this SWPPP.

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

Final stabilization: all soil-disturbance activities at the site have ceased, and uniform perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established or 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.

Qualified Inspector: a person that is knowledgeable in the principles and practices of erosion and sediment control. Qualified Inspectors include:

- Licensed Professional Engineer
- Certified Professional in Erosion and Sediment Control (CPESC)
- Registered Landscape Architect
- Person working under the direct supervision of, and at the same company as, the license Professional Engineer or Register Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control (i.e. the individual has received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control within the prior three (3) years).
- New York State Erosion and Sediment Control Certificate Program holder

Trained Contractor: an employee from a contracting (construction) firm that has received four (4) hours of NYSDEC endorsed training from a Soil and Water Conservation District (or other NYSDEC endorsed entity), in proper erosion and sediment control principles no later than two (2) years from the date this general permit is issued. After receiving the initial training, the trained individual shall receive four (4) hours of training every three (3) years.

Temporarily Ceased: an existing disturbed area that will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization: when exposed soil has been covered with materials to prevent the exposed soil from eroding as set forth in the NYS Standards and Specifications for Erosion and Sediment Control. Examples of materials include mulch, seed and mulch, and rolled erosion control products.

ACRONYMS

BMP: Best Management Practice

CPESC: Certified Profession in Erosion and Sediment Control

CPV: Channel Protection Volume

DOW: Department of Water

EG: Environmental Guidance

EM&CP: Environmental Management and Construction Plan

MS4: Municipal Separate Storm Sewer System

NOI: Notice of Intent

NOT: Notice of Termination

NYSDEC: New York State Department of Environmental Conservation

POA: Point of Analysis

Qf: Extreme Flood Control

Qp: Overbank Flood Control

RRv: Runoff Reduction volume

SPDES: State Pollution Discharge Elimination System

SWPPP: Stormwater Pollution Prevention Plan

WQv: Water Quality Volume

2. INTRODUCTION AND REGULATORY REQUIREMENTS

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared by Fisher Associates, referred to as the Engineer, to provide instruction on appropriate construction management practices that will guide Niagara Mohawk, D.B.A National Grid, referred to as the Owner, in its field activities and operations to minimize the discharge of pollutants in stormwater runoff and protect water quality during and after construction activities.

ALL PERSONNEL ENGAGED IN THE NG LOCKPORT- BATAVIA REBUILD PROJECT CONSTRUCTION ACTIVITIES SHALL ABIDE BY THIS SWPPP.

This SWPPP is a requirement of New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities, Permit No. GP-0-25-001 (General Permit), effective January 29, 2025 with an expiration date of January 28, 2030. The General Permit authorizes stormwater discharges to surface waters of the State from construction related activities. The contents of this SWPPP discuss and describe the requirements of this permit. A copy of the General Permit is provided in Appendix M of this SWPPP.

The SWPPP will be kept at the project site and shall be made available for review by applicable regulatory agencies, the Engineer, and Contractors upon request. Regulatory agencies that have jurisdiction over the project site may elect to review this SWPPP and if necessary may notify the Owner that modifications to the SWPPP or site conditions are required.

The Notice of Intent (NOI), SWPPP and Stormwater Construction Site Inspection reports must be made available for public review by the Owner**.** The Owner shall produce copies of these documents for any person within five business days of the receipt of a written request. The requester is responsible for copying costs.

The General Permit requires that a review of the project be completed to determine whether stormwater discharge or construction activities would have an effect on a property that is a historic or archeological resource that is listed or eligible for listing on the State or National Register of Historic Places. Documentation of this review is included in Appendix D.

The Owner shall retain the following documents for a period of at least five years from the date that the site achieves final stabilization:

- The SWPPP including:
  - NOI,
  - Municipal Separate Storm Sewer System (MS4) Acceptance form,
  - NOI acknowledgement letter,
  - Contractor Certification(s) and,
  - Notice of Termination (NOT).
- Stormwater Construction Site Inspection Reports.
- Construction Drawings and Technical Specifications.
- Correspondence (from NYSDEC, town, engineer, etc.) regarding stormwater management.

3. PERMIT COVERAGE

The erosion and sedimentation control devices included in this SWPPP were selected to minimize the discharge of pollutants and to assist in the prevention of a violation of the water quality standards as discussed in the General Permit under Part 1.B for Effluent Limitations Applicable to Discharges from Construction Activities. If there are any deviations proposed, then a demonstration of equivalence must be included. The SWPPP for the project has been prepared with no deviations from the 2016 New York State Standards and Specifications for Erosion and Sediment Control.

Lockport Batavia #112 Article VII is subject to the requirements of a regulated, traditional land use control MS4. Construction related stormwater discharges from the project construction site will be authorized five business days from the date the NYSDEC receives a complete electronic NOI and signed MS4 SWPPP Acceptance form (Appendix A).

4. SWPPP REVISION REQUIREMENTS

The SWPPP must be kept up to date to accurately document the current and future erosion and sediment control and post-construction stormwater practices for the site. The Owner or the Contractors shall amend this SWPPP when modifications to the design, construction, operation, or maintenance of the project have been or will occur which could have an effect on the potential for discharge of pollutants in stormwater runoff. Amendments shall be documented within Appendix L of this SWPPP. Some example situations include:

- The currently installed erosion and sediment control practices are ineffective in minimizing pollutants in stormwater discharges.
- An additional Contractor will be implementing the stormwater management and/or erosion and sediment control facilities and must complete the contractor certification.
- Changes in the design, construction, or operation.
- Issues are identified by the Trained Contractor , Qualified inspector, a NYSDEC representative, or other regulatory authority that require a modification.

The Contractor is responsible for the installation of all erosion and sediment control devices as specified in this SWPPP. If changes in site conditions occur as a result of the workmanship or actions of the Contractor, time of year, and/or weather conditions, the Contractor will be responsible to revise the SWPPP Documents, implement all SWPPP revisions, and install all additional or revised stormwater management, and erosion and sediment control devices at their own cost. All SWPPP revisions will be completed within seven (7) days of receiving notification that revisions are necessary. Revisions shall be reviewed and accepted by the Owner and the Engineer prior to implementation.

If existing site conditions observed by the Contractor are different than what is shown in the SWPPP documents, the Contractor shall report in writing all discrepancies to the Owner prior to any site disturbance. The Owner shall review the documented discrepancies and provide in writing acceptance or denial of discrepancies to the Contractor. When the Owner provides written acceptance of any agreed upon discrepancies prior to any site disturbance, the Owner shall revise the SWPPP Document and provide it to the Contractor within three (3) days. The Contractor shall review the revised SWPPP within three (3) days of receipt, and document in writing any changes to the negotiated contract. After acceptance by the Owner**,** the Contractor shall be responsible for full implementation of the revised SWPPP's stormwater management, and erosion and sediment control practices. All SWPPP revisions will be completed within seven (7) days of receiving notification to proceed with the revisions.

All SWPPP revisions must be marked with the revision date and distributed by the Owner or the Contractors to the involved parties (i.e., subcontractors, Engineer, and municipality).

5. SITE INFORMATION

5.1 – SITE & PROJECT DESCRIPTION

National Grid (NG) proposes to rebuild the Lockport-Batavia #112 115kV transmission line, an Article VII certified line by the NYSDPS, Case # 22-T-0654, starting from Lockport at existing Structure 1-4 and ending in the Town of Alabama at existing Structure 211. The entire 20 mile stretch between these structures will be replaced, except for a 1.9 mile stretch (as it was previously constructed for a customer project). This project will involve the installation of new and replacement structures along these lines within an existing right-of-way (ROW), except for the portion with the Tonawanda Wildlife Management Area, where the line is being relocated to a more environmentally safe and accessible location. Approximately 10.7 acres of permanent gravel access road will be constructed in order to build this project and provide access for maintenance and future improvements.

The soils information for this site is located in Appendix C.

Portions of the stormwater from the site directly discharge to 303(d) segments for Oak Orchard Cr, Upper and tributaries, as per Appendix E of GP 0-25-001. This occurs at the intersection of the LOD and the 303(d) segment, between proposed structures 159 to 160, 161 to 162, 163 to 164, 173 to 185, and 185 to 186.

5.2 – SITE LOCATION AND OWNER/OPERATOR CONTACT INFORMATION

Contact information for the site is as follows:

Owner/Operator:	National Grid
Contact:	Mary Bitka
Address:	144 Kensington Avenue Buffalo, New York 14214
Phone No.:	1-716-984-0664
Email Address:	mary.bitka@nationalgrid.com
Project Site Address:	701 Hinman Road Lockport, New York 14094

The full construction contact list is provided in Appendix K of this SWPPP.

6. SWPPP CONSTRUCTION REQUIREMENTS

6.1 – PRE-CONSTRUCTION REQUIREMENTS

Prior to construction, the owner shall have the Contractors and/or subcontractors identify at least one person from their company, who meets the requirements of a trained contractor, that will be responsible for the implementation of the SWPPP and the inspection of the erosion and sediment controls in accordance with the New York Standards and Specifications for Erosion & Sediment Controls. The Owner's Representative shall ensure that at least one trained contractor is on-site on a daily basis when soil disturbance activities are being performed. The trained contractor shall inspect the sites erosion and sediment control practices on a daily basis to ensure these facilities are in effective operating condition at all times.

Pre-construction Requirements to be followed by the Owner and Contractors prior to the commencement of any construction activities are described in Appendix E.

6.2 – CONSTRUCTION REQUIREMENTS

6.2.1 – Area of Disturbance

Construction activity will disturb greater than five (5) acres of soil over the duration of the project but will not disturb any greater than 5 acres at any one time without prior written permission of the Owner's Representative and the MS4 Stormwater Contact. To obtain approval from the MS4, the Owner will submit a written request to the MS4s. The written Request to Disturb Greater Than Five Acres must include:

- The SPDES permit identification number (Permit ID); and
- Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and
- The phasing plan for the project and sequencing plans for all phases from the SWPPP in accordance with Part III.B.1.d.; and
- Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and
- Acknowledgment that "the owner or operator will comply with the requirements in Part IV.C.2.b."; and
- Acknowledgment that "the owner or operator will comply with the requirements in Part II.B.1.b."

6.2.2 – Construction Sequence

The Contractors shall install erosion and sediment control practices downstream of the project area, prior to disturbance, to prevent sediment transport to offsite areas. General Construction Sequence includes:

- Install temporary and permanent stabilized construction entrances.
- Install construction fence, vegetation protection and sediment control fence as needed prior to up gradient soil disturbances.
- Tree clearing the project corridor of excess vegetative growth (preceded by the installation of appropriate BMPs).
- Structure upgrades for the project, including structure and appurtenant replacement.
- Complete Soil Restoration per Section 5.1.6 of the Design Manual on all areas that disturbed areas that will be vegetated in its final state.
- Phosphorous-free fertilizer will be used for areas located within phosphorous-impaired watersheds.
- Apply topsoil and complete fine grading.
- Apply permanent seed and mulch.
- When site has reached final stabilization, remove temporary erosion and sediment control measures.

6.2.3 – Construction Site Inspection

The Owner will be responsible to provide a qualified inspector to inspect erosion and sediment control practices, post-construction stormwater management practices that are under construction, disturbed areas, and all points of discharge from the construction site. Specifically, the qualified inspector shall:

- Inspect all erosion and sediment control practices to ensure integrity and effectiveness,
- Verify that erosion and sediment control practices required by the SWPPP and the General Permit have been installed as appropriate for the phase of work and conditions at the site,
- Ensure that post-construction stormwater management practices are installed in accordance with the SWPPP,
- Inspect all areas of disturbance that have not achieved final stabilization, and
- Observe all points of discharge from the site, including natural surface waterbodies located within or immediate adjacent to the construction site, conveyance systems and overland flow.

- Provide estimates of the following areas:
    - Total area with active soil disturbance (not requiring either temporary stabilization or final stabilization),
    - Total area with inactive soil disturbance (requiring either temporary stabilization or final stabilization),
    - Total area that has achieved temporary stabilization,
    - Total area that has achieved final stabilization.

The qualified inspector shall also take digital photographs, with date stamp, that clearly show the conditions of erosion and sediment control practices and stormwater management practices that have been identified as needing corrective actions and of practices that have had corrective actions since the last inspection. These photographs shall be attached to the inspection form within seven calendar days of the inspection.

If corrective actions are needed, the qualified inspector must notify the Owner and the appropriate Contractor within one business day of completing the inspection. The Contractor shall begin implementing the corrective action within one (1) business day of receiving notification and complete it within seven (7) calendar days following the date of the inspection. Additional mitigation measures are to be implemented by the Contractors if necessary due to site conditions to minimize sediment transport or discharge of sediment laden runoff off-site. If the corrective action does not require engineering design, begin implementing corrective actions within one business day; and complete the corrective actions within five business days. If the corrective action requires engineering design, begin the engineering design process within five business days; and complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

Inspections are to be completed at least once every seven (7) calendar days. If authorization to disturb greater than five (5) acres of soil at one time is received, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. There shall be a minimum of two (2) full calendar days between inspections. If the project directly discharges to one of the 303(d) segments as listed in CGP Appendix D or is located in one of the watersheds listed in CGP Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. There shall be a minimum of two (2) full calendar days between inspections. An Inspection Report Form for conducting the inspections is included in Appendix F. Completed inspection reports are to remain on file at the site in Appendix F.

Temporary Construction Shutdown
If soil disturbing activities have been temporarily suspended, such as for winter shutdown, and temporary stabilization measures have been applied to all disturbed areas, the Owner may reduce inspections to a minimum of one (1) inspection every thirty (30) calendar days. The Owner shall notify the NYSDEC (SPDES) Program contact at the Regional Office or, if the project is under MS4 jurisdiction, the MS4 stormwater contact in writing prior to reducing the frequency of inspections. The Owner shall resume inspections in accordance with this section as soon as soil disturbance activities resume.

Final Site Inspection
The qualified inspector shall perform a final inspection of the site to certify that:

- All disturbed areas have achieved final stabilization;
- Temporary erosion and sediment control practices have been removed; and
- Post-construction stormwater management practices have been constructed in conformance with the SWPPP.

Prior to certification, the Contractors at their own cost, shall supply as-built topographic surveys of all post-construction stormwater management practices to document that the stage/storage relationship has been met. As-builts shall also show rims, inverts, orifice, pipe sizes and elevations, etc. Upon satisfactory completion of the final site inspection, the qualified inspector shall sign the appropriate sections of the NOT form (Appendix G).

6.2.4 –Authorized Non-Stormwater Discharges

Discharges from the following sources are authorized provided that they are directed to a sediment trapping device:

- Clean wash water (does not contain soaps, detergents or solvents) from cleaning construction vehicles and equipment.
- Site dewatering (ground water) from pits, excavations, and trenches.

Sediment trapping devices shall be designed and located by the Contractor and approved by the Owner and the Engineer prior to installation.

High-traffic areas will be covered with gravel and exposed soils and roadways will be wetted as needed during extended dry periods to minimize dust generation. Only plain water will be used for dust suppression.

6.2.5 – Prohibited Non-Stormwater Discharges

National Grid and its Contractor will implement precautions during the storage, handling and transporting of fuels, oils, chemicals and other potentially harmful substances to avoid spills and contravention of water quality standards or other regulations intended to protect environment resources. National Grid and its Contractor will take precautions to prevent spillage and will not store these materials beneath trees or in the vicinity of any wetlands, river, stream, or other body of water. Any hazardous substances will be transported, stored and handled as recommended by suppliers and/or manufacturers, in compliance with all applicable federal or state regulations. Preventive and protective practices for fuel and chemical handling will be accomplished through implementation of the following principal restrictions on both Contractors and company personnel:

- Pumps used for trench dewatering or dam and pump crossings operating within 100 feet of a water body, wetland or rare plant or unique natural community should be placed in properly sized and temporary secondary containment structures during their use;
- Extreme caution shall be exercised when handling fuel and while refueling to avoid spillage;
- Any equipment which must be refueled in the field will be refueled from tanks carried to the work site by truck;
- No equipment refueling shall be performed in the vicinity of streams or other sensitive areas, (i.e., intermittent streams, wetlands, beneath trees);
- When there is a need to use portable power equipment such as pumps or generators near wetlands or waterbodies, they will be used and refueled employing basic spill prevention and containment procedures. Fuel-containing vessels used to fuel immobile equipment will not be stored within 100 feet of a wetland or waterbody following refueling activities;
- All equipment operating within 100 feet of a waterbody, wetland, or rare plant or unique natural community shall have sufficient spill containment equipment on board to provide for prompt control and cleanup in the event of a release;
- During refueling, spill kits and fuel absorbent materials will be on-site in the event a spill occurs;
- All on-site construction vehicles including Contractor employee vehicles shall be monitored for leaks and shall receive regular preventative maintenance to reduce the risk of leakage. Any equipment leaking oil, fuel or hydraulic fluid shall be repaired immediately or removed from the site. In the event of a release, the spill shall be promptly cleaned up in accordance with National Grid spill response and clean up procedures; and
- The Construction Contractor shall not wash equipment or machinery in any watercourse, wetland or rare plant or unique natural community and shall not permit runoff resulting from washing operations directly enter any watercourses or wetlands.

In the event of a spill or hazardous material release to the environment, National Grid's reporting, containment and cleanup procedures are provided in Appendix H.

6.2.6 – Maintaining Surface Water Quality

It is expected that compliance with this SWPPP and the General Permit, will prevent discharges of pollutants which would cause or contribute to a violation of the surface water quality standards contained in Parts 700 through 706 of Title 6 of the New York Code, Rules and Regulations (NYCRR). Potential violations include:

- An increase in turbidity that will cause substantial visible contrast to natural conditions;
- An increase of suspended, colloidal or settleable solids that will cause deposition or impair surface waters for their best usages; and
- A residue from oil and floating substances, visible oil film, or globules of grease.

If there is evidence indicating that the stormwater discharges authorized by the General Permit are causing, have reasonable potential to cause, or are contributing to a violation of surface water quality standards; the owner or operator must take appropriate corrective action within one business day. The corrective action must be documented in the next SWPPP inspection report. To address the surface water quality standard violation, the owner or operator may need to provide additional information, include and implement appropriate controls from this SWPPP to correct the problem, or obtain an individual SPDES Permit.

6.2.7 – Chemical and Oil Management

An unintentional or accidental spill or release of any oil or chemical in any quantity on land, water or into the air must be reported in accordance with National Grid's Environmental Guidance (EG)-501NYN for Release Notification and EG-502NYN for Release Cleanup, included as Appendix H. These guidelines address immediate incident activities, reporting instructions, notifications and general cleanup procedures.

6.3 – NOTICE OF TERMINATION REQUIREMENTS

An NOT shall be filed with the NYSDEC when the project meets the termination requirements as outlined in Part V.A.2 of the General Permit. The NOT requires certification from the Qualified Inspector that construction at the project site is complete, the site has achieved final stabilization, and all erosion and sediment control measures have been removed in conformance with the SWPPP.

7. STORMWATER MANAGEMENT DURING CONSTRUCTION

Anticipated locations for the erosion and sediment control practices are shown in Appendix I "Erosion and Sediment Control Plans and Details." These practices, and any practices added due to conditions at the site, are to be installed and maintained in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (NYSDEC 2016).

The suggested Best Management Practices (BMPs) in this document are based on observed site conditions at the time of the fieldwork. Alternative BMPs may be required based upon actual field conditions, the time of year the work is performed, and the type of construction equipment to be used. Additional BMPs have been included in Appendix I to be used as necessary during construction and if applicable, will be used in areas approved by the Environmental Inspector.

For areas where timber matting is planned to be used for construction in/near wetland areas, all work will be completed on the timber matting. Any spoil from the foundation excavation will be placed on the timber matting. It is not anticipated that the spoil will migrate off the mats, however, if the spoil is anticipated to remain on the mats for longer than 7 days or there is a concern for migration, appropriate controls will be installed as directed by the Environmental Inspector. Erosion and sediment controls will be used as necessary throughout the site to provide additional erosion and sediment control and to protect wetland resources.

7.1 – EROSION AND SEDIMENT CONTROLS

Proposed erosion and sediment control practices were designed in accordance with the following documents:

- New York State Standards and Specifications for Erosion and Sediment Control (NYSDEC 2016) (the Blue Book).
- New York State Stormwater Management Design Manual (the Design Manual) prepared by the Center for Watershed Protection for the NYSDEC (July 2024).
- NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-25-001) (effective date January 29, 2025).

Practices that must be directed to a temporary sediment trapping device that was not identified in the drawings shall be designed by the Contractor. Prior to installing these practices, the Contractor shall provide a detail and proposed location of the sediment trap to be approved by the owner prior to installation.

Structural erosion and sediment control practices should generally be inspected weekly (or more frequently as required by the SPDES permit such as discharge to 303(d) waterbodies, Appendix C watersheds, and greater than 5 acres of disturbance), by a qualified inspector.

Winter stabilization practices should be installed in accordance with the Blue Book between November 15 and April 1.

7.2 – STABILIZATION PRACTICES

The following stabilization practices, per the 2016 New York State Standards and Specifications for Erosion and Sediment, will be employed by the Contractor as follows:

- For portions of the site where soil disturbance activities have temporarily or permanently ceased, stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the most recent soil disturbance activity ceased, or within 7 calendar days if the current project disturbance is five (5) acres or greater or if the project directly discharges to one of the 303(d) segments listed in CGP Appendix D. If the site is snow covered and/or frozen then stabilization measures shall be implemented as soon as practicable.

7.3 – ADDITIONAL STORMWATER CONTROLS

The following are additional Best Management Practices to be implemented at the site to minimize pollutant transport:

- Material Transport – take proper precautions to prevent spilling materials during transport. Any spilled materials will be swept or removed as soon as practicable so that they do not enter a surface and subsurface drainage systems.
- Dust Control – provide dust control measures to prevent dust from leaving the site. Measures shall include gravel or water application or mulching but shall not include use of chemical additives. High-traffic areas will be covered with gravel and exposed soils and roadways will be wetted as needed during extended dry periods to minimize dust generation. Only plain water will be used for dust suppression. Any sediment that is tracked off of the site shall be removed using a hand broom or other cleaning equipment.
- Solid Waste Management – store waste in covered dumpsters or other appropriate containers. Waste is to be disposed of regularly and properly in accordance with local, state, and/or federal regulations.
- Portable toilets – install and clean portable toilets regularly with their contents properly disposed. Locate portable toilets where they will not be impacted by construction activities.
- Building materials storage – properly store and contain building materials on-site.

7.4 CULVERT DESIGN

The proposed permanent culverts (conveyance system) have been designed in accordance with the following documents:

- New York State Standards and Specifications for Erosion and Sediment Control (NYSDEC 2016) (the Blue Book)
- New York State Stormwater Management Design Manual (the Design Manual) (July 2024), Section 4.11
- USACE Nationwide Permit

Section 4.11 of the Design Manual recommends the 10-year storm as the minimum sizing criterion for closed conveyance systems. Outside of jurisdictional streams, culverts were designed using a 10-year storm event to not overtop the proposed road. Where possible, existing culverts will be upsized to meet these design requirements. At the public road entrances, culverts have been designed to match or extend an existing culvert installed or upsized to meet the 10-year storm event. National Grid will be coordinating with the applicable agencies or municipalities to obtain approval to install the construction entrances off the public road.

Culverts within jurisdictional streams were sized according to the USACE Nationwide Permit using a 50-year storm, or a 100-year storm based on feedback from USACE. Wetland continuity culverts were sized to be a minimum of 18" diameter and spaced roughly 80-150 feet apart to maintain hydraulic connectivity. Wetland continuity culverts that had a corresponding drainage area were modeled using HydroCAD. Documentation for the 1-year, 10-year, and 100-year storm events are included in Appendix Q.

Temporary culverts were sized based on available information from existing culverts, where applicable, and were not hydraulically modeled. Locations of existing culverts within the limits of disturbance are shown in Appendix I.

National Grid is responsible for maintaining the culverts according to Appendix N. If flooding or erosion issues are identified, National Grid will take appropriate measures to mitigate the concern.

8. OTHER APPLICABLE PERMITS AND CONDITIONS

8.1 – COMPLIANCE WITH FEDERAL, STATE AND LOCAL PERMITS AND REGULATIONS

The Project will be authorized under a Nationwide Permit or a Letter of Permission/Individual Permit from the U.S. Army Corps of Engineers. This Project will require an Article 24: Freshwater Wetlands Permit of the Environmental Conservation Law due to the impacts to wetlands and watercourses regulated by the NYSDEC. These permits will be issued by the New York State Department of Public Service.

8.2 – ENDANGERED SPECIES

In accordance with New York State Natural Heritage Program (NYNHP), the NYSDEC Environmental Resource Mapper was reviewed for potential rare or state-listed plants or animals, or significant natural communities. NYNHP was initially contacted on April 9th, 2020, regarding information on rare species records within the Project area. The NYNHP responded on May 5th, 2020, with information on State-listed rare, threatened, and endangered (RTE) species. The NYNHP was contacted again on September 7th, 2023, for updates or changes to known RTE species, habitat, or Significant Natural Communities in the Project area. The NYNHP responded on October 26th, 2023, with information that included: one (1) New York State endangered species (Short-eared Owl-Asio flammeus) has been documented within the project area. Nine (9) threatened/endangered species have been documented within the project area which include: Northern Harrier (Circus hudsonius-threatened), Pied-billed Grebe (Podilymbus Podiceps-threatened), Black Tern (Chlidonias niger-threatened), Least Bittern (Ixobrychus exilis-threatened), Bald Eagle (Haliaeetus leucocephalus-threatened), Short-eared Owl (Asio flammeus-endangered), Henslow's Sparrow (Ammodramus henslowii-threatened), Sedge Wren (Cistothorus stellaris-threatened) and the King Rail (Rallus elegans-threatened). Five (5) species have been documented within the project area including the Northern Harrier (Circus hudsonius-threatened), Short-eared Owl (Asio flammeus-Endangered), Sedge Wren (Cistothorus stellaris-threatened) and the Pied-billed Grebe (Podilymbus Podiceps-threatened). The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program: Black Bullhead Fish (Ameiurus melas-critically imperiled in NYS) has been documented within the project area where Lewiston Road

meets Feeder Road. The Ruddy Duck (Oxyura jamaicensis- critically Imperiled in NYS) has been documented 200 yards northwest of the project area. The Prothonotary Warbler (Protonotaria citrea- Imperiled in NYS) has been documented within 0.5 mile southwest of the project area. The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program and are a vulnerable natural resource of conservation concern. Heart-leaved Plantain (Plantago cordata-rare-vulnerable in NYS) has been documented within 0.4 mile southwest of the project area. Franks Sedge (Carex frankii-threatened-Imperiled in NYS) has been documented within 0.25 mile southwest of the project area. Updates to NYNHP databases were requested on February 13th, 2025. The NHP response was received on March 24, 2025 with no updates to the previous species.

Consultation with the U.S. Department of the Interior, Fish and Wildlife Service (USFWS) was initiated for the Project via the Information for Planning and Conservation (IPaC) online system. The Official Species List was obtained using the IPaC online site on April 9th, 2020, February 10th, 2021, September 1st, 2023, and February 13th, 2025. The most recent Official Species List indicated the possible presence of the Northern Long-eared bat (NLEB) (Myotis septentrionalis -Endangered), Tricolored Bat (Perimyotis subflavus-proposed endangered), Salamander Mussel (Simpsonaias ambigua- proposed endangered) and the Monarch Butterfly (Danaus Plexippus-proposed threatened). A NLEB and Triclored Bat determination key (d-key), consistency letter was generated through the USFWS IPaC site on February 13, 2025, and a result, a May Effect determination was received regarding the potential occurrence of the NLEB and Tricolored Bat. Time of year restrictions will be imposed and/or a Net Benefit Conservation Plan will be in place if a take should occur. Therefore no negative impacts are anticipated to the species noted above.

8.3 – HISTORIC PLACES

A review of publicly available information via the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) New York State Historic Preservation Office (New York SHPO) Cultural Resource Information System (CRIS) was conducted January 20, 2021. A response letter from New York SHPO was received on February 16, 2022, requesting additional information. An update was sent back to OPRHP on March 16, 2021 with the additional information. OPRHP letter dated March 30, 2021, was received and recommended a phase IA Archaeological survey including Phase IB testing recommendations. A Phase IA Archaeological Assessment and Literature Review was performed by Hartgen Archeological Associates, Inc. dated July 2021. A Phase IB Archaeological Survey was performed by Hartgen Archeological Associates, Inc. dated January 2022. An Archeological Avoidance was performed by Hartgen Archeological Associates, Inc. dated February 2022. A response letter was received by ORHP on March 11, 2022 requested more information. Then an OPRHP and Fisher email chain dated March 08 – April 15, 2022, recommend "four (4) shovel tests be excavated within the area of each tower within the known site/50-foot buffer zone, and 2 shovel tests at tower 9. If appropriate (if artifacts are found) additional "surround" tests may be necessary around positive pits at 1- and 3-meter intervals. Hartgen will recognize this and follow the NYAC standards as appropriate". An Avoidance Plan for NGD Area 7 Site 1 (A0634.000517) was submitted by Hartgen Archeological Associates, Inc. on May 2022. An OPRHP letter dated June 22, 2022, to Fisher re: Response to Avoidance Plan for NGD Area 7 Site 1 (A0634.000517), came back as a "No-effect" for the Project.

9. POST-CONSTRUCTION STORMWATER MANAGEMENT

The rebuild of the Lockport-Batavia #112 115kV transmission line will require installation of approximate 10.7 acres of permanent gravel access. This will allow for construction access and future maintenance and improvements along the numerous lines in the area. The increase in impervious area will require post- construction stormwater management as noted below.

9.1 – STORMWATER QUALITY

The increased emphasis on a holistic approach to stormwater has resulted in a change in stormwater management practices and techniques. The Design Manual requires stormwater management designs to use the Green Infrastructure "Five Step" Process:

1- Site Planning – Conserve of Natural Areas and Reduce Impervious Cover
2- Determine Water Quality Volume (WQv)
3- Meet Runoff Reduction Volume (RRv) Requirements
4- Apply Standard Stormwater Management Practices to Address Remaining WQv

5- Meet Rate Reduction Requirements

Each Green Infrastructure planning and reduction technique and SMPs with RRv capacity were assessed for use at the site. Filter strips were selected to provide RRv for the site. The total WQv required for the site is 4.517 acre-feet. The implementation of the stormwater practices discussed above provide a reduction of 100% of WQv (RRv). Therefore, no additional WQv treatment is required for the site. A summary of water quality management is shown in Table 1. Detailed calculations and design information related to stormwater quality can be found in Appendix O.

Table 1: Water Quality Treatment Analysis

Point of Analysis (POA)		Required WQv	Minimum RRv Required	RRv Provided (1)	Total WQv Provided	Stormwater Practice Providing RRv & WQv
		(cu-ft)	(cu-ft)	(cu-ft)	(cu-ft)	
1	STR 9-10	4106	1917	4106	4106	Grass Filter Strips
2	STRs 11-12	7757	1917	7757	7757	Grass Filter Strips
3	STRs 17-20	6996	1917	6996	6696	Grass Filter Strips
4	STRs 21-23	6777	1917	6777	6777	Grass Filter Strips
5	STRs 25-29	7634	2352	7634	7634	Grass Filter Strips
6	STRs 29-35	29300	1786	29300	29300	Grass Filter Strips
18	STR 36	3009	1568	3009	3009	Grass Filter Strips
7	STRs 37-40	35403	1786	35403	35403	Grass Filter Strips
8	STRs 41	2373	1786	2373	2373	Grass Filter Strips
19	STRs 42-47	22727	1568	22727	22727	Grass Filter Strips
9	STRs 48-50	7879	1786	7879	7879	Grass Filter Strips
10	STRs 78-83	18050	2701	18050	18050	Grass Filter Strips
11	STRs 84-86	4365	2004	4365	4365	Grass Filter Strips
12	STRs 90-96	2889	2004	2889	2889	Grass Filter Strips
13	STRs 97-103	15091	2004	15091	15091	Grass Filter Strips
14	STRs 104-106	6193	2004	6193	6193	Grass Filter Strips
15	STRs 106-109	5887	2004	5887	5887	Grass Filter Strips
16	STRs 110-117	3345	828	3345	3345	Grass Filter Strips
17	STRs 113-116	6804	828	6804	6804	Grass Filter Strips

(1) RRv Provided is based on Table 3.5 in the 2015 NYS Stormwater Management Design Manual: 100% of WQv provided by the practice is reduced for infiltration based practices.

9.2 – STORMWATER QUANTITY

Stormwater quantity requirements include the following:

- Channel Protection Volume (Cpv) – extended detention of the one (1) year storm to protect stream channels from erosion.
- Overbank Flood Control (Qp) – attenuate the ten (10) year storm post-construction peak discharge rate to pre-construction rates.
- Extreme Flood Control (Qf) – attenuate the one hundred (100) year storm post-construction peak discharge rate to pre-construction rates.

HydroCAD version 10.00, which utilizes the Soil Conservation Service (SCS) method, was used to model the existing conditions for under the National Weather Service (NWS) 24-hour 1-year, 10-year, and 100-year frequency peak flow, in accordance with the standards set forth in the NYS SMDM. The access road was divided into individual drainage areas and modeled in HydroCAD The hydrologic analysis shows no increase in the flows from the proposed impervious area. The results of the pre and post-construction analysis for the site are shown in Table 2. Peak flows did not increase from pre-construction to post-construction as shown below.

Table 2: Point of Analysis – Comparison of Pre and Post Construction Conditions

Point of Analysis (POA)		Pre-Construction			Post-Construction		
		1- Year Peak Flow (cfs)	10-Year Peak Flow (cfs)	100-Year Peak Flow (cfs)	1- Year Peak Flow (cfs)	10-Year Peak Flow (cfs)	100-Year Peak Flow (cfs)
1	STR 9-10	2.35	8.24	16.62	2.35	8.24	16.62
2	STRs 11-12	13.89	40.59	76.18	13.89	40.59	76.18
3	STRs 17-20	2.89	9.61	19.11	2.89	9.61	19.11
4	STRs 21-23	4.89	15.6	30.30	4.89	15.60	30.30
5	STRs 25-29	2.65	8.86	17.70	2.65	8.86	17.70
6	STRs 29-35	15.73	50.45	99.03	15.73	50.45	99.03
18	STR 36	2.72	9.57	19.27	2.72	9.57	19.27
7	STRs 37-40	17.95	65.87	135.74	17.95	65.87	135.74
8	STRs 41	1.22	4.52	9.32	1.22	4.52	9.32
19	STRs 42-47	13.97	49.00	99.04	13.97	49.00	99.04
9	STRs 48-50	4.89	17.11	34.71	4.89	17.11	34.71
10	STRs 78-83	7.02	25.49	52.84	7.02	25.49	52.84
11	STRs 84-86	0.53	2.87	6.92	0.53	2.87	6.92
12	STRs 90-96	0.21	3.34	10.78	0.21	3.34	10.78
13	STRs 97-103	9.41	34.95	72.21	9.41	34.95	72.21
14	STRs 104-106	2.81	10.31	21.42	2.81	10.31	21.42
15	STRs 106-109	4.92	20.95	45.02	4.92	20.95	45.02
16	STRs 110-117	2.54	10.92	23.49	2.54	10.92	23.49
17	STRs 113-116	1.75	6.09	12.39	1.75	6.09	12.39

10. COMMUNITY RISK AND RESILIENCY ACT (CRRA) CONSIDERATION

Consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated guidance.

- The owner or operator must consider the following physical risks due to climate change:
  - increasing temperature
  - increasing precipitation
  - increasing variability in precipitation, including chance of drought
  - increasing frequency and severity of flooding
  - rising sea level (N/A)
  - increasing storm surge (N/A)

    - shifting ecology

- for each of the following:
    - overall site planning
    - location, elevation, and sizing of:
        - control measures and practices
        - conveyance system(s)
        - detention system(s)

National Grid's Electric Infrastructure provides increased renewable transport of electricity in accordance with local, state, and national rules and regulations. It does so under the purview of the NYS Public Service Commission (PSC) and Department of Public Service Staff (DPS). National Grid is required to maintain its infrastructure in order to deliver power to its ratepayers in the State of New York.

None of the physical risks identified above are expected to vary from current conditions to the extent that the overall site plan would have to be modified to ensure the safe and reliable operation of the transmission line over its useful life. The use of natural resilience measures, such as minimizing the impact to wetlands and minimizing the disturbance to naturally occurring vegetated areas were applied for the consideration of climate change. These have been considered in the development of the plan and no adverse impacts associated with the potential for the physical risks identified above are expected.

Appendix A

SWPPP Permit Coverage Forms

NYSDEC Notice of Intent (NOI)
MS4 Acceptance Form
SWPPP Preparer Certification Form
Owner/Operator Certification Form

Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001

version 1.11

(Submission #: HQB-H5YS-BC0FF, version 1)

Details

Submission Alias	Construction General Permit (CGP) Electronic Notice of Intent (eNOI) GP-0-25-001: Lockport Batavia
Originally Started By	Robert Wightman
Alternate Identifier	NG Lockport Batavia #112 Article VII—Region 9
Submission ID	HQB-H5YS-BC0FF
Status	Draft

Form Input

Eligibility

Disturbance Threshold

1. Will the construction activity involve soil disturbances listed in Part I.A.1 of GP-0-25-001?
Yes

1.a. Will any runoff from the site enter a sewer system classified as a combined sewer?
No

1.b. Is this a remediation project being done under a Department approved work plan (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.) with a SWPPP which meets the substantive requirements of GP-0-25-001?
No

1.c. Is the construction activity related to a stormwater discharge that does not require a permit as described in 40 CFR 122.3(e), e.g. non-point source agriculture or silviculture activities?
No

Other SPDES Permits

2. Will the discharge from the construction activity meet all conditions listed in Part I.A.2 of GP-0-25-001?
Yes

Threatened and Endangered Species

3. Will the construction activity potentially adversely affect a species that is endangered or threatened per Part I.A.3.?
Yes

3.a. The owner/operator has obtained one of the following documents:
Permit issued pursuant to 6 NYCRR Part 182

State Historic Preservation Act (SHPA)

4. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the SHPA review (see Attachment 2 of the Letter of Resolution between NYSDEC and OPRHP, dated January 9, 2015)?
No

4.a. Will the construction activity:

a) occur within an archeologically sensitive area indicated on the sensitivity map, or

b) have the potential to affect a property that is listed or determined to be eligible for listing on the National or State Registers of Historic Plac or

c) include a new permanent building on the construction site within the following distances from a building, structure, or object that is more th 50 years old and OPRHP, a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined is a historically/archeologically significant building, structure, or object:

- 1-5 acres of disturbance—20 feet

- 5-20 acres of disturbance—50 feet
- 20+ acres of disturbance—100 feet?

No

4.b. Is there documentation at the construction site demonstrating:

a) that the construction activity is not within an archeologically sensitive area indicated on the sensitivity map, and that the construction activi not immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and

b) that there is no new permanent building to be built on the construction site within the following distances from a building, structure, or obje that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that OPRHP, a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant:

- 1-5 acres of disturbance – 20 feet
- 5-20 acres of disturbance – 50 feet
- 20+ acres of disturbance – 100 feet?

Yes

State Environmental Quality Review (SEQR)

---

5. Is the construction activity subject to SEQR (Part I.A.5.), or the equivalent environmental review from another NYS or federal agency (Part I.A.6.)?
No

Uniform Procedures Act (UPA) Permits

---

6. Has the owner/operator obtained all necessary UPA permits from NYSDEC, or the equivalent from another NYS or federal agency per Part I.A.7.a. of GP-0-25-001?
Yes

Steep Slope

---

7. Is the construction activity within the watershed of surface waters of the State classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website?
No

Owner/Operator Information

8. Owner/Operator Name
Niagara Mohawk Power Corporation dba National Grid

9. Owner/Operator Contact Person Information

First and Last Name	Phone	E-mail
Mary Bitka	(716) 984-0664	mary.bitka@nationalgrid.com

10. Owner/Operator Mailing Address

144 Kensington Avenue
Buffalo, NY 14214
USA

11. Is the billing contact different from the Owner/Operator Contact?
No

12. What type of organization is the owner/operator?
Corporation

12.b. Is the owner/operator registered with the Department of State to do business in New York State?
Yes

12.b.i. Department of State ID #
57726

The Department of State ID can be found using the following link:
Department of State | Division of Corporations

Site Information

13. Project/Site Name
NG Lockport Batavia #112 Article VII

14. Site Address
701 Hinman Road
Lockport, NY 14094
Niagara

DEC Region
9

15. Site Latitude & Longitude
43.1484112,-78.7183428

Project Details

16. This eNOI submission is for:
An entire common plan of development or sale in accordance with Part I.D.1.b.

17. Does the project type fall under Table 1 or Table 2 of Appendix B of GP-0-25-001? If any portion of the construction activity falls under Table 2, regardless of the size of the disturbance, select "Table 2".
Table 2

18. Consistent with Part III.B.1.c.i. of GP-0-25-001, provide a concise overview of the project. Describe existing and proposed conditions, and include any other relevant information.
National Grid (NG) proposes to rebuild the Lockport-Batavia #112 115kV transmission line, an article VII certified line by the NYS DPS, Case # 22-T-0654, starting from Lockport at Existing Structure 1-4 and ending in the Town of Alabama at Existing Structure 211. The entire 20 mile stretch between these structures will be replaced, except for a 1.9 mile stretch called “Segment 6”. This will involve the installation of new and replacement structures along these lines within existing right-of-way (ROW).

Enter the total project site acreage, the acreage to be disturbed, and the future impervious area (acreage) within the disturbed area, rounded to the nearest tenth of an acre.

19. Total Site Area (acres)
293.4

20. Total Area to be Disturbed (acres)
293.4

21. Existing Impervious Area to be Disturbed (acres)
0.0

22. Future Impervious Area Within Disturbed Area (acres)
10.7

Nature of the project:
New Construction

23. Do you plan to disturb more than 5 acres of soil at any one time?
Yes

> The owner/operator must meet the requirements in Part I.E.6. before disturbing greater than five acres at any one time.

---

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

A (%)
3

B (%)
2

C (%)
0

D (%)
95

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

Start Date
12/01/2025

End Date
12/31/2028

26. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.
Oak Orchard Cr, Upper & trib, State Wetland: LP-23, GA-22, GA-21, GA-6, ME-8, MD-1, AK-2, AK-3, AK-4

27. Type of waterbody identified in question 26?
Stream/Creek On Site
Wetland/Federal Jurisdiction On Site
Wetland/State Jurisdiction On Site

28. Has the surface waterbody in question 26 been identified as a 303(d) segment in Appendix D of GP-0-25-001?
Yes

29. Is this project located in one of the Watersheds identified in Appendix C of GP-0-25-001?
No

30. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?
Yes

31. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?
No

32. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?
No

33. Is this property owned by a state authority, state agency, federal government or local government?
No

Required SWPPP Components

General SWPPP Requirements

34. Has a SWPPP been developed in conformance with the requirements in Part III. of GP-0-25-001?
Yes

35. Does the SWPPP demonstrate consideration of the future physical risks due to climate change pursuant to the CRRA, 6 NYCRR Part 490, and associated guidance per Part III.A.2. of GP-0-25-001?
Yes

36. 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

37. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the NYS Stormwater Management Design Manual?
Yes

37.a. Which version of the NYS Stormwater Management Design Manual was used to develop the SWPPP?
2024

SWPPP Preparer

39. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:
Professional Engineer (P.E.)

40. Name of the person who prepared the SWPPP
Wightman, Rosemary

41. SWPPP Preparer Organization Name
Fisher Associates

42. SWPPP Preparer Contact Information

First and Last Name	Phone	E-mail
Rosemary Wightman	(845) 325-8071	RWightman@fisherassoc.com

43. SWPPP Preparer Address

55 CHICAGO ST
STE 200
BUFFALO, NY 14204-2503

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) Upload the completed form
Download SWPPP Preparer Certification Form

44. Please upload the SWPPP Preparer Certification
NONE PROVIDED
Comment
NONE PROVIDED

44.a. Has the SWPPP Preparer Certification Form been signed by the SWPPP preparer in accordance with Part VII.J of GP-0-25-001?
Yes

Erosion & Sediment Control Criteria

45. Has a construction sequence schedule for the planned management practices been prepared?
Yes

Post-Construction Criteria

Site Planning and Soil Restoration

46. Identify all site planning practices that were used to prepare the final site plan/layout for the project.
Preservation of Undisturbed Area

47. 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.
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).

Water Quality Criteria

49. Water Quality Sizing Criteria

Total WQv required (acre-feet)	Total RRv provided (acre-feet)	Minimum RRv (acre-feet)	Total WQv provided (acre-feet)	Sum of RRv and WQv provided
4.513	4.513			NaN

Water Quantity Criteria

51. Does one of the waiver conditions apply to the channel protection for this construction activity?
Yes

51.a. The need to provide channel protection has been waived because:
Reduction of the entire CPv is achieved by application of runoff reduction techniques or infiltration systems.

52. Does one of the waiver conditions apply to the Qp and Qf for this construction activity?
No

Overbank Flood Control Criteria (Qp)

52.b.i. Pre-Development (CFS)
266.50

52.b.ii. Post-Development (CFS)
266.50

Total Extreme Flood Control Criteria (Qf)

52.b.iii. Pre-Development (CFS)
542.98

52.b.iv. Post-Development (CFS)
542.98

Operation and Maintenance

53. Has a long-term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?
Yes

53.a. Identify the entity responsible for the long-term Operation and Maintenance.
Niagara Mohawk Power Corporation dba National Grid

Post-Construction SMP Identification

54. Post-Construction RR Techniques and Standard SMPs

RR Techniques and SMPs	Contributing Impervious Area (acres)	Total Contributing Area (acres)
Sheet Flow to Riparian Buffers or Filter Strips (RR-2)	10.700	213.600

55. Alternative SMPs

Type of Alternative SMP	Manufacturer of the Alternative SMP	Name of the Alternative SMP	Contributing Impervious Area (acres)
NONE PROVIDED	*NONE PROVIDED*	*NONE PROVIDED*	*NONE PROVIDED*

Other Permits

56. Identify other permits, existing and new, that are required for this project/facility.
Freshwater Wetlands/Article 24
Stream Bed or Bank Protection/Article 15

57. Is this NOI for a change in owner/operator per Part I.G.?
No

MS4 SWPPP Acceptance

59. Will the construction activities be within the municipal boundary(ies) of Traditional Land Use Control MS4 Operator(s) and discharge to the MS4(s)?
Yes

59.a. Which form is required per Part I.D.2.b.ii.?
MS4 SWPPP Acceptance Form

MS4 SWPPP Acceptance Form Download

Download the MS4 SWPPP Acceptance Form from the link below.
MS4 SWPPP Acceptance Form

60. MS4 Acceptance or No Jurisdiction Form Upload
NONE PROVIDED
Comment
NONE PROVIDED

60.a. Has the form been signed by the principal executive officer or ranking elected official—or duly authorized representative of that person—in accordance with Part VII.J. and submitted along with this NOI?
Yes

Owner/Operator Certification

Owner/Operator Certification Form Download

Download the Owner/Operator Certification Form by clicking the link below.
Owner/Operator Certification Form

61. Upload Owner/Operator Certification Form
NONE PROVIDED
Comment
NONE PROVIDED

61.a. Has the Owner/Operator Certification Form from Appendix J been signed by the owner/operator, or a representative of the owner/operator in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOI?
Yes

Additional Project Information

62. Enter any additional pertinent project information in the text box below.
NONE PROVIDED

NEW YORK STATE | Department of Environmental Conservation

MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information	
1. Owner/Operator Name:	Niagara Mohawk Power Corporation dba National Grid
2. Contact Person:	Mary Bitka
3. Street Address:	144 Kensington Avenue
4. City/State/Zip:	Buffalo, NY 14214
II. Project Site Information	
5. Project/Site Name:	Lockport Batavia #112 Article VII
6. Street Address:	701 Hinman Road
7. City/State/Zip:	Lockport/NY/14094
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information	
8. SWPPP Reviewed by:	Robert D. Klavoon, PE
9. Title/Position:	Town Engineer
10. Date Final SWPPP Reviewed and Accepted:	06/13/2025
IV. Regulated MS4 Information	
11. Name of MS4 Operator:	Town of Lockport
12. MS4 SPDES Permit Identification Number: NYR20A	554
13. Street Address:	6560 Dysinger Road
14. City/State/Zip:	Lockport, NY 14094
15. Telephone Number:	716-439-9520

MS4 SWPPP Acceptance Form - continued

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP). Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name[1]: William Youngman

Title/Position: Town of Lockport Building Inspector

Signature:

Date: 06/13/2025

VI. Additional Information

[1] Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

NEW YORK STATE | Department of Environmental Conservation

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

Project/Site Name:	National Grid Lockport Batavia #112 Article VII
eNOI Submission ID:	HQB-H5YS-BC0FF
Owner/Operator Name:	Niagara Mohawk Power Corporation dba National Grid

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

Rosemary		Wightman
SWPPP Preparer First Name	MI	SWPPP Preparer Last Name

Signature

4/3/2025

Date

Revised: January 2025

Owner/Operator Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.

Project/Site Name: National Grid Lockport Batavia #112 Article VII

eNOI Submission ID: HQB-H5YS-BC0FF

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

Certification Statement - Owner/Operator

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Nate		Butera
Owner/Operator First Name	MI	Owner/Operator Last Name

Signature

4/10/2025

Date

Revised: January 2025

Appendix B
NYSDEC Acknowledgement of NOI Letter

NEW YORK STATE | Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

June 13, 2025

Niagara Mohawk Power Corporation dba National Grid
Mary Bitka
144 Kensington Avenue
Buffalo, NY 14214

RE: Letter of Authorization (LOA) for Coverage Under
SPDES General Permit for Stormwater Discharges from Construction Activity (CGP)
General Permit No. GP-0-25-001

Dear Owner or Operator,

The New York State Department of Environmental Conservation (NYSDEC) received a complete electronic Notice of Intent (eNOI) for coverage under GP-0-25-001 for construction activities located at:

Project Name: NG Lockport Batavia #112 Article VII
Project Address: 701 Hinman Road
Lockport, NY 14094 Project County: Niagara

Through submission of the eNOI on June 13, 2025, the owner or operator certified that the eligibility requirements in Part I.A. of GP-0-25-001 have been met, where required.

As a reminder, the owner or operator must meet the requirements in Part I.E.6. of GP-0-25-001 prior to disturbing greater than five acres of soil at any one time. Further, this LOA is not the permit document. The owner or operator is required to comply with all requirements in GP-0-25-001, which is accessible on NYSDEC's website: dec.ny.gov

The project is authorized to commence construction activity in accordance with Part I.D.3.b. of GP-0-25-001 as follows:

- Project Name: NG Lockport Batavia #112 Article VII
- eNOI Submission ID: HQB-H5YS-BC0FF
- Date authorized to commence construction activity: June 13, 2025

Note that the NYSDEC SPDES Permit Identification No. (SPDES Permit ID) for this project will be sent in a separate correspondence. Also, please be advised there is an annual regulatory fee of $110, which is billed by NYSDEC in the late fall. The regulatory fee covers a period of one calendar year. In addition, there is an initial authorization fee of $110 per acre of land disturbed and $675 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.

If there are any questions regarding the requirements in GP-0-25-001, please contact me.

Sincerely,

John Muthersbaugh

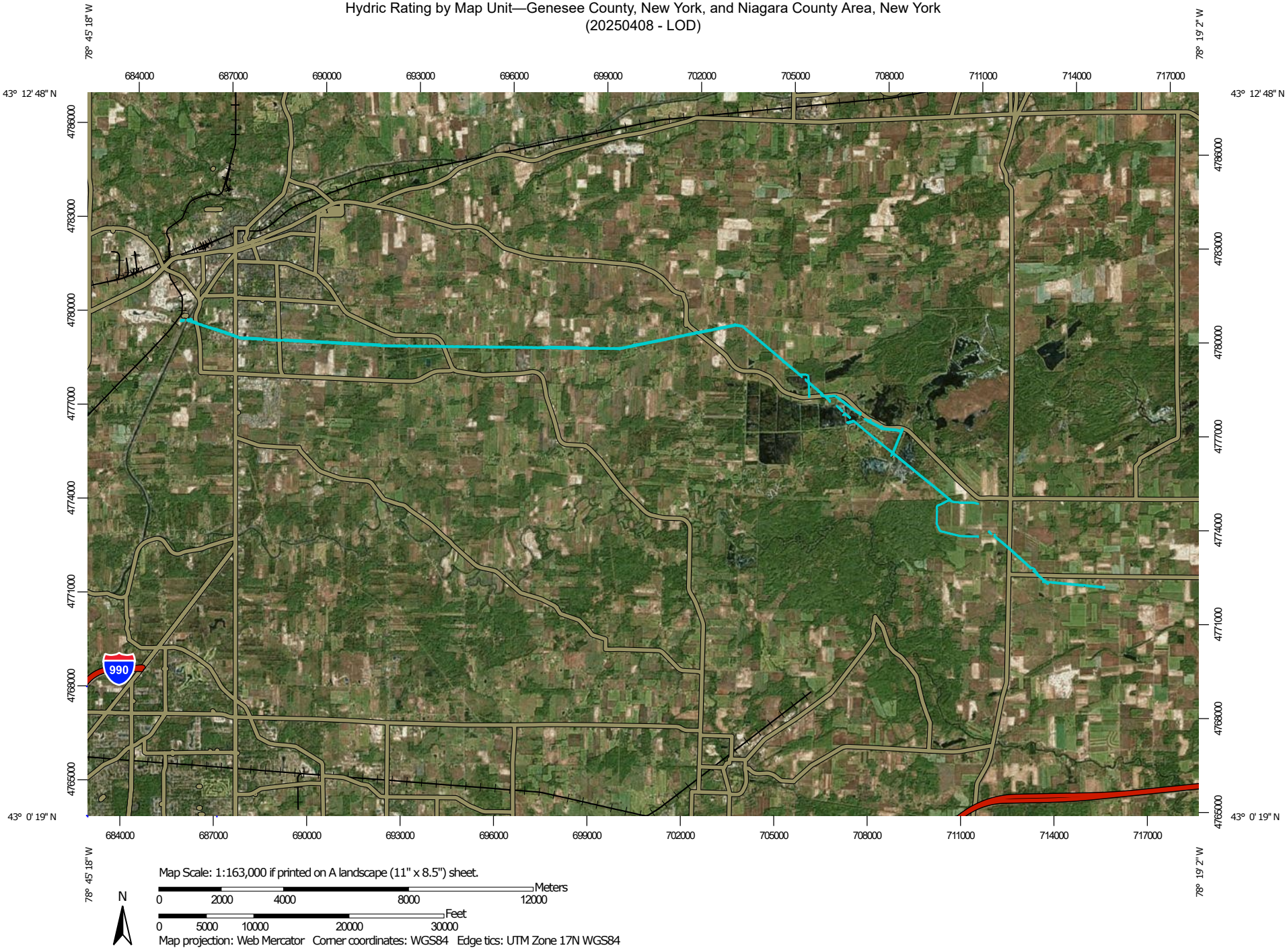
John Muthersbaugh

Assistant Engineer

Division of Water, Bureau of Water Permits
625 Broadway, Albany, NY 12233 | dec.ny.gov | john.muthersbaugh@dec.ny.gov | (518) 402-8188

Appendix C
Location Map/Soils Information

Hydric Rating by Map Unit—Genesee County, New York, and Niagara County Area, New York
(20250408 - LOD)



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:15,800 to 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Genesee County, New York
Survey Area Data: Version 25, Aug 29, 2024

Soil Survey Area: Niagara County Area, New York
Survey Area Data: Version 23, Aug 26, 2024

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 1, 1999—Dec 31, 2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ApA	Appleton silt loam, 0 to 3 percent slopes	4	2.5	0.9%
ArB	Arkport very fine sandy loam, 1 to 6 percent slopes	0	5.0	1.7%
CaA	Canandaigua silt loam, 0 to 2 percent slopes	95	5.4	1.9%
CbA	Canandiagua mucky silt loam, 0 to 2 percent slopes	95	13.8	4.7%
CeB	Cazenovia silt loam, 3 to 8 percent slopes	0	0.6	0.2%
ClB	Collamer silt loam, 2 to 6 percent slopes	0	5.1	1.7%
ElB	Elnora loamy fine sand, 2 to 6 percent slopes	0	2.9	1.0%
Fo	Fonda mucky silt loam	100	2.1	0.7%
GnB	Galen very fine sandy loam, 2 to 6 percent slopes	0	1.0	0.3%
HlB	Hilton loam, 3 to 8 percent slopes	0	1.9	0.6%
La	Lakemont silty clay loam, 0 to 3 percent slopes	95	1.0	0.3%
Ld	Lamson very fine sandy loam	90	2.9	1.0%
LmB	Lima silt loam, 3 to 8 percent slopes	1	0.1	0.0%
Ma	Madalin silty clay loam, 0 to 3 percent slopes	95	10.0	3.4%
MnA	Minoa very fine sandy loam, 0 to 2 percent slopes	5	0.8	0.3%
NgA	Niagara silt loam, 0 to 2 percent slopes	5	4.3	1.5%
OdA	Odessa silt loam, 0 to 3 percent slopes	5	7.4	2.5%
OdB	Odessa silt loam, 3 to 8 percent slopes	4	3.8	1.3%
OnB	Ontario loam, 3 to 8 percent slopes	0	2.8	1.0%
OnC	Ontario loam, 8 to 15 percent slopes	0	1.9	0.6%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
OvA	Ovid silt loam, 0 to 3 percent slopes	5	5.9	2.0%
OvB	Ovid silt loam, 3 to 8 percent slopes	5	3.8	1.3%
Pd	Palms muck	100	4.0	1.4%
PsB	Phelps gravelly loam, 3 to 8 percent slopes	0	0.5	0.2%
RoA	Rhinebeck silt loam, 0 to 3 percent slopes	5	0.2	0.1%
RsA	Romulus silt loam, 0 to 3 percent slopes	85	2.2	0.8%
SeB	Schoharie silt loam, 1 to 6 percent slopes	0	1.3	0.5%
SmB	Scio silt loam, 2 to 8 percent slopes	0	0.9	0.3%
W	Water	0	0.3	0.1%
Wy	Wayland soils complex, 0 to 3 percent slopes, frequently flooded	90	1.0	0.3%
Subtotals for Soil Survey Area			**95.5**	**32.5%**
Totals for Area of Interest			**293.4**	**100.0%**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ApA	Appleton silt loam, 0 to 3 percent slopes	4	2.4	0.8%
ArB	Arkport very fine sandy loam, 0 to 6 percent slopes	0	0.7	0.3%
AsA	Arkport fine sandy loam, gravelly substratum, 0 to 2 percent slopes	0	0.0	0.0%
Ca	Canandaigua silt loam	86	1.7	0.6%
Cb	Canandaigua silty clay loam	92	1.9	0.6%
CcB	Cayuga and Cazenovia silt loams, 2 to 6 percent slopes	0	4.8	1.6%
ClA	Churchville silt loam, 0 to 2 percent slopes	8	23.8	8.1%
CnB	Collamer silt loam, 2 to 6 percent slopes	4	1.8	0.6%
Cu	Cut and fill land	5	0.7	0.2%
DuB	Dunkirk silt loam, 2 to 6 percent slopes	0	0.5	0.2%
Fo	Fonda mucky silt loam	96	0.1	0.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HlA	Hilton silt loam, 0 to 3 percent slopes	0	12.9	4.4%
HlB	Hilton silt loam, 3 to 8 percent slopes	0	3.8	1.3%
HmA	Hilton and Cayuga soils, 0 to 3 percent slopes, bedrock substratum	0	0.5	0.2%
HoB	Howard gravelly loam, 3 to 8 percent slopes	0	2.6	0.9%
HsB	Hudson silt loam, 2 to 6 percent slopes	0	0.7	0.2%
Lc	Lakemont silty clay loam, 0 to 3 percent slopes	95	27.1	9.2%
Lg	Lamson fine sandy loam, gravelly substratum	92	0.4	0.1%
Ma	Madalin silt loam, 0 to 3 percent slopes	93	9.5	3.2%
Md	Madalin silt loam, loamy subsoil variant	82	3.5	1.2%
Mf	Massena fine sandy loam	57	0.5	0.2%
NaA	Niagara silt loam, 0 to 2 percent slopes	4	1.3	0.4%
OdA	Odessa silty clay loam, 0 to 3 percent slopes	5	53.6	18.3%
OdB	Odessa silty clay loam, 3 to 8 percent slopes	4	0.5	0.2%
OnB	Ontario loam, 3 to 8 percent slopes	0	1.5	0.5%
OvA	Ovid silt loam, 0 to 2 percent slopes	4	34.0	11.6%
OvB	Ovid silt loam, 2 to 6 percent slopes	2	4.2	1.4%
OwA	Ovid silt loam, limestone substratum, 0 to 3 percent slopes	5	0.7	0.2%
PsA	Phelps gravelly loam, 0 to 5 percent slopes	0	1.1	0.4%
RbA	Rhinebeck silt loam, 0 to 2 percent slopes	8	1.2	0.4%
W	Water	0	0.1	0.0%
Subtotals for Soil Survey Area			**197.9**	**67.5%**
Totals for Area of Interest			**293.4**	**100.0%**

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

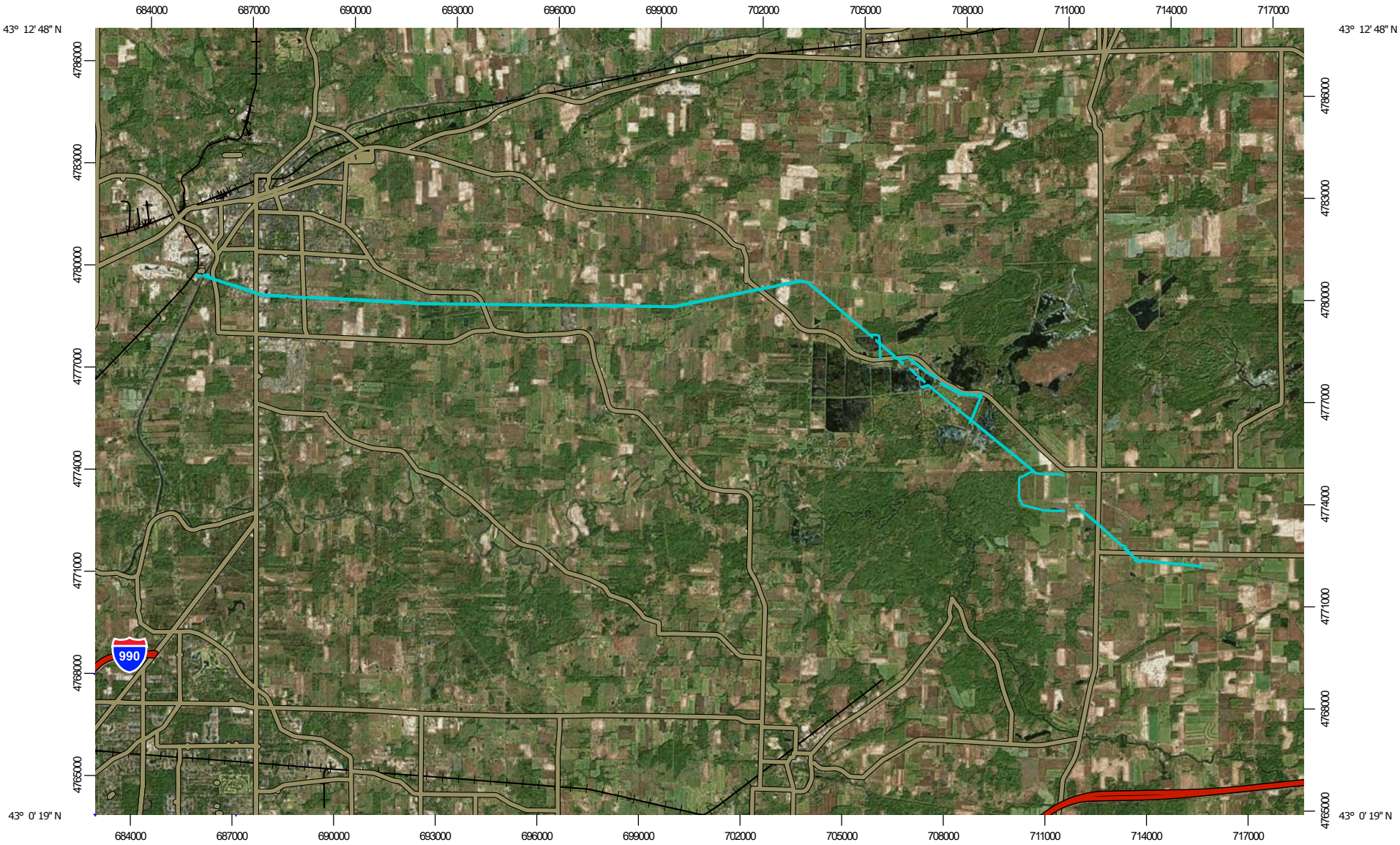
Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Hydrologic Soil Group—Genesee County, New York, and Niagara County Area, New York
(20250408 - LOD)



Map Scale: 1:163,000 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 2000 4000 8000 12000

Feet
0 5000 10000 20000 30000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:15,800 to 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Niagara County Area, New York
Survey Area Data: Version 23, Aug 26, 2024

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 1, 1999—Dec 31, 2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ApA	Appleton silt loam, 0 to 3 percent slopes	B/D	2.5	0.9%
ArB	Arkport very fine sandy loam, 1 to 6 percent slopes	A	5.0	1.7%
CaA	Canandaigua silt loam, 0 to 2 percent slopes	C/D	5.4	1.9%
CbA	Canandiagua mucky silt loam, 0 to 2 percent slopes	C/D	13.8	4.7%
CeB	Cazenovia silt loam, 3 to 8 percent slopes	C/D	0.6	0.2%
ClB	Collamer silt loam, 2 to 6 percent slopes	C/D	5.1	1.7%
ElB	Elnora loamy fine sand, 2 to 6 percent slopes	A/D	2.9	1.0%
Fo	Fonda mucky silt loam	C/D	2.1	0.7%
GnB	Galen very fine sandy loam, 2 to 6 percent slopes	A/D	1.0	0.3%
HlB	Hilton loam, 3 to 8 percent slopes	B/D	1.9	0.6%
La	Lakemont silty clay loam, 0 to 3 percent slopes	D	1.0	0.3%
Ld	Lamson very fine sandy loam	A/D	2.9	1.0%
LmB	Lima silt loam, 3 to 8 percent slopes	B/D	0.1	0.0%
Ma	Madalin silty clay loam, 0 to 3 percent slopes	C/D	10.0	3.4%
MnA	Minoa very fine sandy loam, 0 to 2 percent slopes	B/D	0.8	0.3%
NgA	Niagara silt loam, 0 to 2 percent slopes	C/D	4.3	1.5%
OdA	Odessa silt loam, 0 to 3 percent slopes	D	7.4	2.5%
OdB	Odessa silt loam, 3 to 8 percent slopes	D	3.8	1.3%
OnB	Ontario loam, 3 to 8 percent slopes	B	2.8	1.0%
OnC	Ontario loam, 8 to 15 percent slopes	B	1.9	0.6%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
OvA	Ovid silt loam, 0 to 3 percent slopes	C/D	5.9	2.0%
OvB	Ovid silt loam, 3 to 8 percent slopes	C/D	3.8	1.3%
Pd	Palms muck	B/D	4.0	1.4%
PsB	Phelps gravelly loam, 3 to 8 percent slopes	B/D	0.5	0.2%
RoA	Rhinebeck silt loam, 0 to 3 percent slopes	C/D	0.2	0.1%
RsA	Romulus silt loam, 0 to 3 percent slopes	C/D	2.2	0.8%
SeB	Schoharie silt loam, 1 to 6 percent slopes	D	1.3	0.5%
SmB	Scio silt loam, 2 to 8 percent slopes	B/D	0.9	0.3%
W	Water		0.3	0.1%
Wy	Wayland soils complex, 0 to 3 percent slopes, frequently flooded	B/D	1.0	0.3%
Subtotals for Soil Survey Area			**95.5**	**32.5%**
Totals for Area of Interest			**293.4**	**100.0%**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
ApA	Appleton silt loam, 0 to 3 percent slopes	B/D	2.4	0.8%
ArB	Arkport very fine sandy loam, 0 to 6 percent slopes	A	0.7	0.3%
AsA	Arkport fine sandy loam, gravelly substratum, 0 to 2 percent slopes	A	0.0	0.0%
Ca	Canandaigua silt loam	C/D	1.7	0.6%
Cb	Canandaigua silty clay loam	C/D	1.9	0.6%
CcB	Cayuga and Cazenovia silt loams, 2 to 6 percent slopes	D	4.8	1.6%
ClA	Churchville silt loam, 0 to 2 percent slopes	C/D	23.8	8.1%
CnB	Collamer silt loam, 2 to 6 percent slopes	C/D	1.8	0.6%
Cu	Cut and fill land	A	0.7	0.2%
DuB	Dunkirk silt loam, 2 to 6 percent slopes	C	0.5	0.2%
Fo	Fonda mucky silt loam	C/D	0.1	0.0%

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HlA	Hilton silt loam, 0 to 3 percent slopes	B/D	12.9	4.4%
HlB	Hilton silt loam, 3 to 8 percent slopes	B/D	3.8	1.3%
HmA	Hilton and Cayuga soils, 0 to 3 percent slopes, bedrock substratum	B/D	0.5	0.2%
HoB	Howard gravelly loam, 3 to 8 percent slopes	A	2.6	0.9%
HsB	Hudson silt loam, 2 to 6 percent slopes	C/D	0.7	0.2%
Lc	Lakemont silty clay loam, 0 to 3 percent slopes	D	27.1	9.2%
Lg	Lamson fine sandy loam, gravelly substratum	A/D	0.4	0.1%
Ma	Madalin silt loam, 0 to 3 percent slopes	C/D	9.5	3.2%
Md	Madalin silt loam, loamy subsoil variant	C/D	3.5	1.2%
Mf	Massena fine sandy loam	C/D	0.5	0.2%
NaA	Niagara silt loam, 0 to 2 percent slopes	C/D	1.3	0.4%
OdA	Odessa silty clay loam, 0 to 3 percent slopes	D	53.6	18.3%
OdB	Odessa silty clay loam, 3 to 8 percent slopes	D	0.5	0.2%
OnB	Ontario loam, 3 to 8 percent slopes	B	1.5	0.5%
OvA	Ovid silt loam, 0 to 2 percent slopes	C/D	34.0	11.6%
OvB	Ovid silt loam, 2 to 6 percent slopes	C/D	4.2	1.4%
OwA	Ovid silt loam, limestone substratum, 0 to 3 percent slopes	C/D	0.7	0.2%
PsA	Phelps gravelly loam, 0 to 5 percent slopes	B/D	1.1	0.4%
RbA	Rhinebeck silt loam, 0 to 2 percent slopes	C/D	1.2	0.4%
W	Water		0.1	0.0%
Subtotals for Soil Survey Area			**197.9**	**67.5%**
Totals for Area of Interest			**293.4**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Appendix D

Associated Local, State and Federal Permits and Correspondence

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of the General Counsel
625 Broadway, 14th Floor, Albany, New York 12233-1500
P: (518) 402-9185 | F: (518) 402-9018
www.dec.ny.gov

Lockport-Batavia (Case 22-T-0654)
New York State Department of Environmental Conservation
Initial Comments

Exhibit 4: Environmental Impact

4.3.1.1 Existing Land Use Segment by Segment
The land use of *Segment 4 Existing, Segment 4 Relocated, Segment 5, and Segment 7* are not properly classified. Land located within wildlife management areas (WMAs) should not be classified as "agricultural." The Application should be amended to reflect the appropriate habitat classification of these important ecological areas.

4.3.6.1 ROW Construction Effects
The land use of *Segment 4 Relocated* is not properly classified. Land located within wildlife management areas should not be classified as "agricultural." The Application should be amended to reflect the appropriate habitat classification of these important ecological areas.

4.5.1.2 Phase 1A – Archaeological Sensitivity Assessment
The wetland impoundments at Tonawanda Wildlife Management Area (TWMA) are not accurately described. The constructed dikes in the TWMA were built to create managed wetlands which benefit wildlife.

4.6 Terrestrial Wildlife
The Application improperly excludes important vegetation and wildlife that are present in the Project ROW. The list of vegetation within the Project ROW should be amended to include grassland habitat. The list of wildlife within the Project ROW should be amended to include species of grasslands and emergent wetlands.

4.6.1 Vegetation
Managed grassland habitat is present where the Project ROW crosses the John White Wildlife Management Area (JWWMA). The Application should be amended to indicate as such.

4.6.2 Wildlife
Managed wetland and grassland habitat is present within the Project ROW in the TWMA and JWWMA. The Application should be amended to indicate as such.

NYSDEC requests that wildlife surveys be completed and included as part of the Application. Impacted wildlife cannot be accurately determined without recent survey data.

4.6.3 Endangered and Threatened Species
Table 4.6-1 "Federal and State-Listed Threatened and Endangered Species Potentially Present Within the Project ROW" states that the anticipated impact to all listed State species will be

"None." This table should be amended to indicate that the anticipated impacts are properly labeled as "None" to the extent that the Applicant strictly adheres to the appropriate time-of-year-restrictions (TOYR). If TOYR are not strictly adhered to, impacts are anticipated.

4.6.5 State-Listed Species

For each species included in the Application, the Application should be amended to include descriptions of the associated habitats occupied by the species withing the Project ROW.

4.6.6.2 Project Effects on Wildlife

The Application fails to note that there will be direct impacts to wildlife due to disturbance. Additionally, the Application notes "that the Project is primarily located within Existing ROW." While this is correct, the Application fails to note that the Project ROW passes through two WMAs with sensitive habitats that are occupied by State-listed threatened and endangered species.

4.6.6.3 Impacts to Federally- and State-listed Species

The word *march* in the following sentence should be amended to read *marsh*: "[t]herefore, NYSDEC will most likely require work within the TWMA to avoid the breeding season for grassland and march birds which is from April 23rd to August 15th."

The Application notes several restrictions that will be necessary to protect State-listed species. However, NYSDEC notes that additional restrictions will likely be necessary to avoid impacts to wildlife dependent recreation within the wildlife management areas. Restrictions will likely be required for certain hunting seasons, i.e. duck season.

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

TEMPORARY REVOCABLE PERMIT

SHORT-TERM PERMIT FOR INDIVIDUALS AND/OR GROUP EVENTS ON DEC-MANAGED PUBLIC LANDS AND CONSERVATION EASEMENTS

The NYS Department of Environmental Conservation grants permission to the Permittee to use the specified State lands for the described purposes in accordance with all the attached Terms & Conditions. TRPs will only remain valid if all necessary permits and/or insurance are obtained and kept current by the Permittee.

Permittee Name: Matt Lesniak **Organization:** Hartgen Archeological Associates, Inc.

Street Address: 1744 Washington Ave. Extension

City: Rensselaer **State:** NY **Zip Code:** 12144

Email: mlesniak@hartgen.com **Phone:** 914-786-3400

State Land Unit Name(s): John White and Tonawanda Wildlife Management Areas

Facility, Trail or Road Name(s): National Grid Transmission Line #112

Description of Use:

Access John White and Tonawanda Wildlife Management Areas to conduct archeological shovel testing on behalf of National Grid. All work will be in the current National Grid right-of-ways except for a small segment on the south side of Lewiston Road between Meadville Road and the Feeder Canal. Equipment will consist of shovels and wooden/steel shaker screens - no power equipment will be used.

A 233 Permit has already been secured from the New York State Museum (#4042) as cultural materials may be collected.

Maximum Attendees Permitted: 4 **Start Date:** 11/22/21 **End Date:** 12/10/21

Primary DEC Contact: Heidi Kennedy **Phone:** (585) 948-5182 **DEC Office:** R8 Iroquois WL

Application Fee: EXEMPT

Insurance Certificate: YES

Map: YES

REGIONAL REVIEW **TRP#** 2160

DATE ISSUED TO APPLICANT: 11/23/21 **TYPE:** ROUTINE

RECOMMEND: APPROVED **SPECIAL TERMS & CONDITIONS:** NO

REGIONAL MANAGER SIGNATURE: Michael R. Wasilco **DATE:** 11/23/21

REGIONAL DIRECTOR SIGNATURE: **DATE:**

CENTRAL OFFICE REVIEW *NON-ROUTINE & FOREST PRESERVE RESEARCH PERMITS ONLY

RECOMMEND: SIGNATURE: DATE:

STATE MUSEUM REVIEW * IF APPLICABLE

RECOMMEND: SIGNATURE: DATE:

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REVIEW * IF APPLICABLE

RECOMMEND: SIGNATURE: DATE:

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

TEMPORARY REVOCABLE PERMIT

STANDARD TERMS & CONDITIONS

1. Permittee hereby agrees to indemnify and save harmless the Department and the State of New York from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it by reason of the Permittee's use of the State land facilities which are the subject of this permit.

2. Permittee shall comply with all applicable Federal and State rules and regulations and shall obtain and keep current any additionally required Federal, State or local permits for the full duration of the permitted activity.

3. This permit shall at all times be subject to the approval of the Department and may be suspended or revoked at any time.

4. If public liability insurance is required by the Department, the Permittee must keep in force such insurance for the full duration of the permit.

5. Permittee shall notify the primary DEC contact person at least 48 hours prior to commencing permit use and upon completion of use.

6. Any activity authorized under this permit shall not interfere with normal administration of the area by the Department.

7. No trees or other vegetation shall be cut, disturbed or removed unless specifically authorized by the Department.

8. Permittee shall be responsible for any damages or disturbances that occur to natural resources, public facilities, boundaries or survey markers resulting from the permitted activity.

9. Permittee is responsible for removing all litter and debris from the State Land facility covered by this permit within 24 hours of completion of the authorized activity.

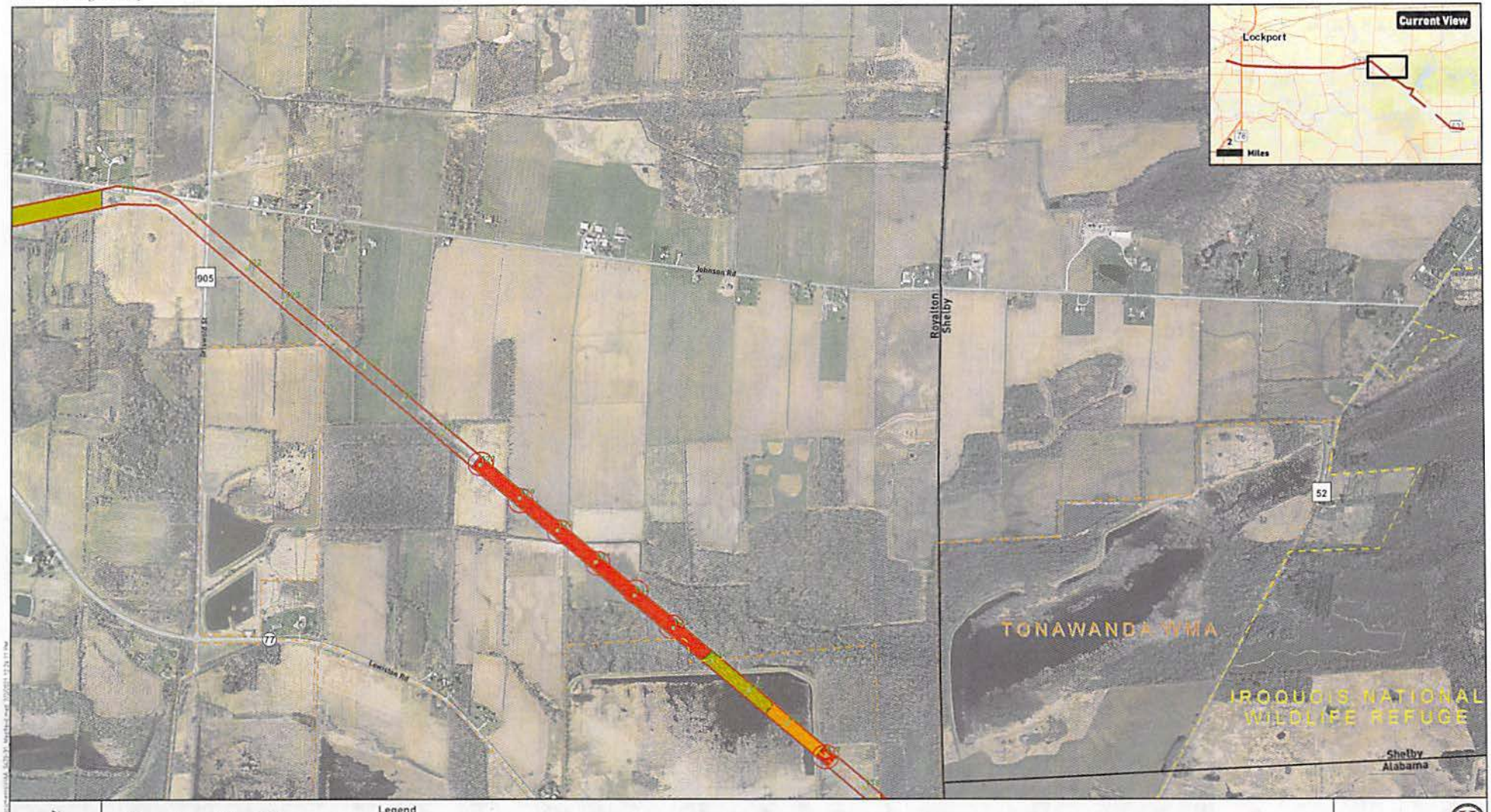
10. Upon completion of the activity, Permittee shall meet with the primary DEC contact person to inspect the area and to ensure that the Permittee has complied with all terms and conditions.

TRP # 2160

Insert TRP Activity Type

SPECIAL TERMS & CONDITIONS

In addition to the aforementioned Standard Terms & Conditions, this permit is subject to the following Special Terms & Conditions. Failure of the Permittee to comply with any Terms and Conditions will void this permit.



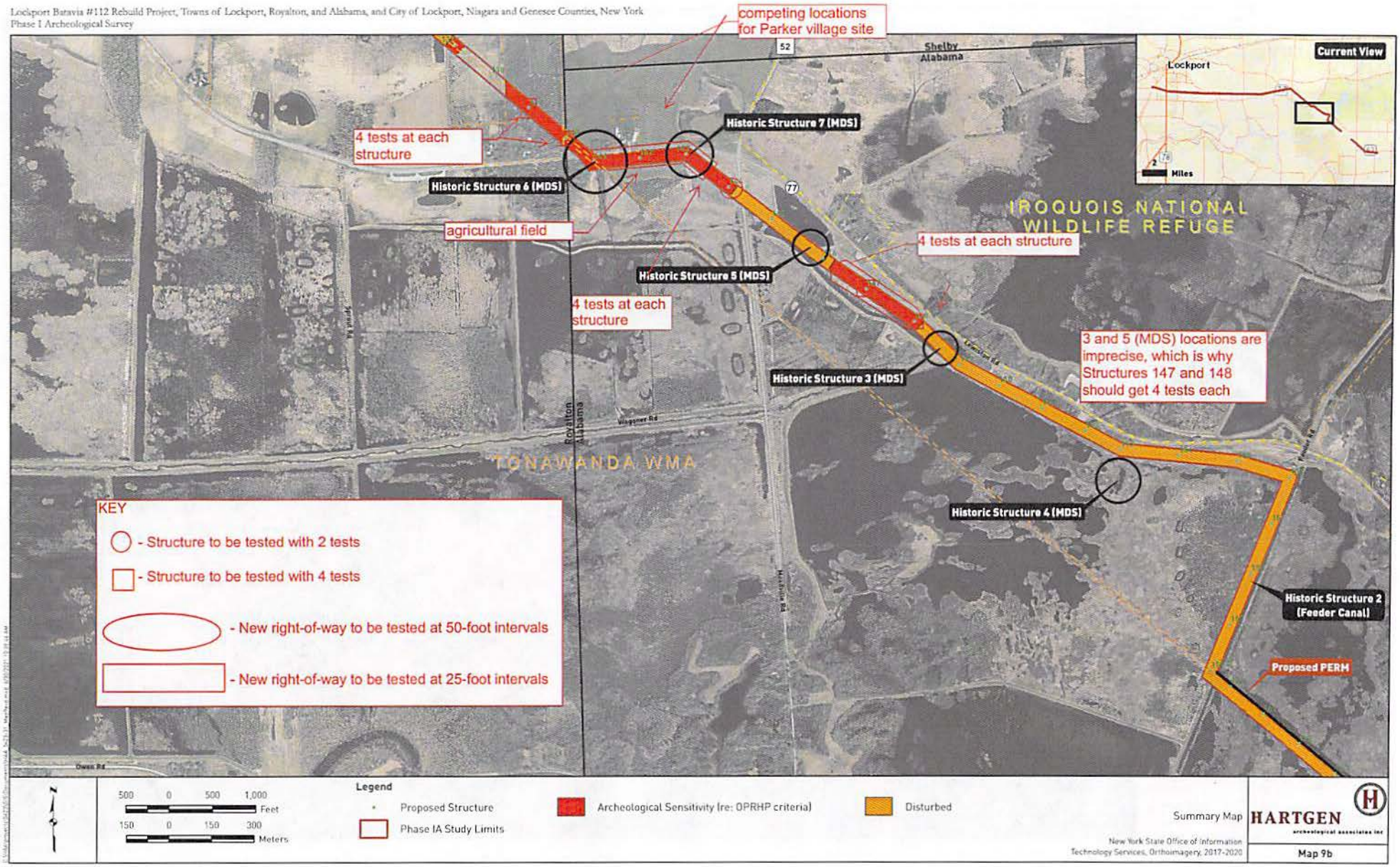
Summary Map

New York State Office of Information Technology Services, Orthoimagery, 2017-2020

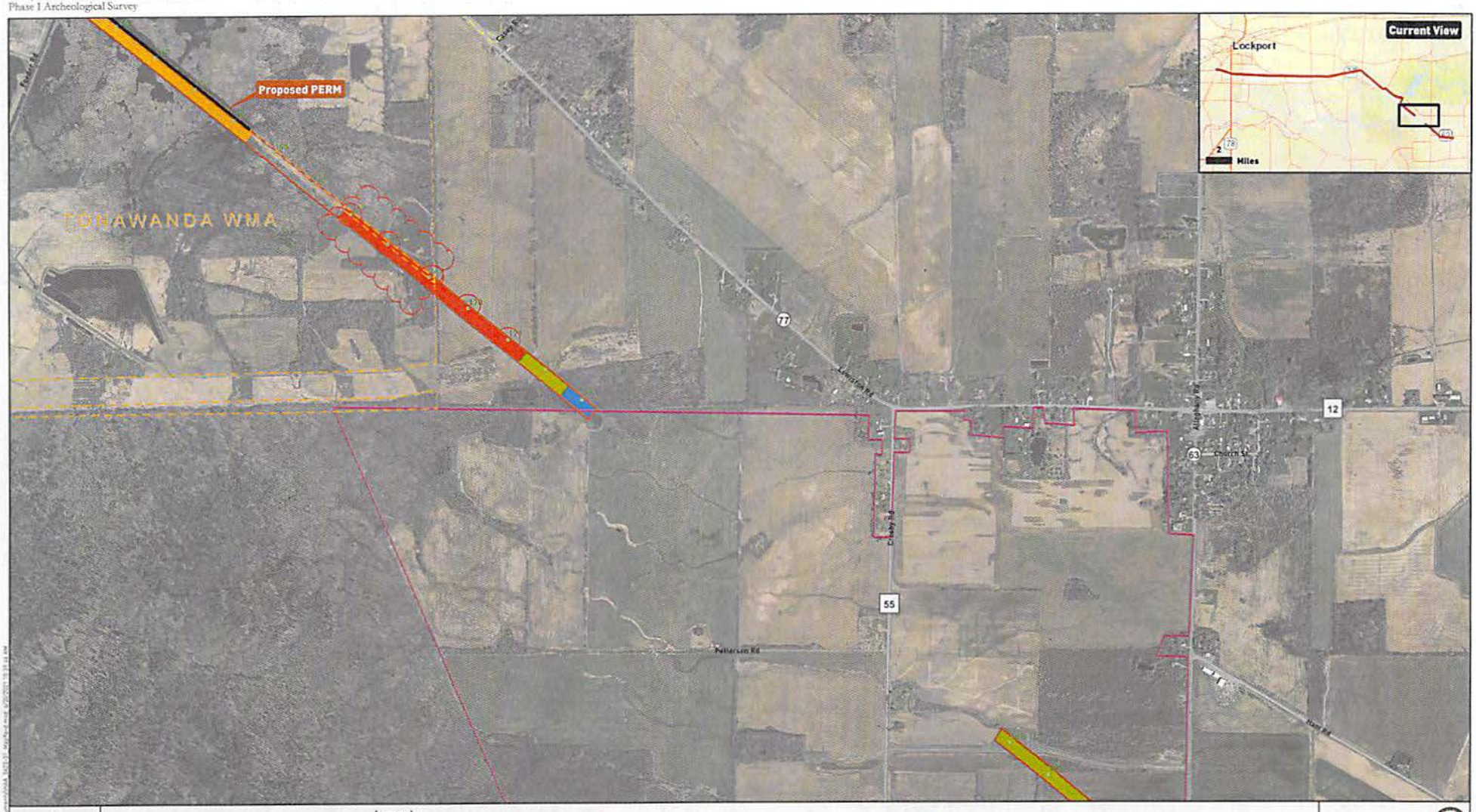
HARTGEN archeological associates inc

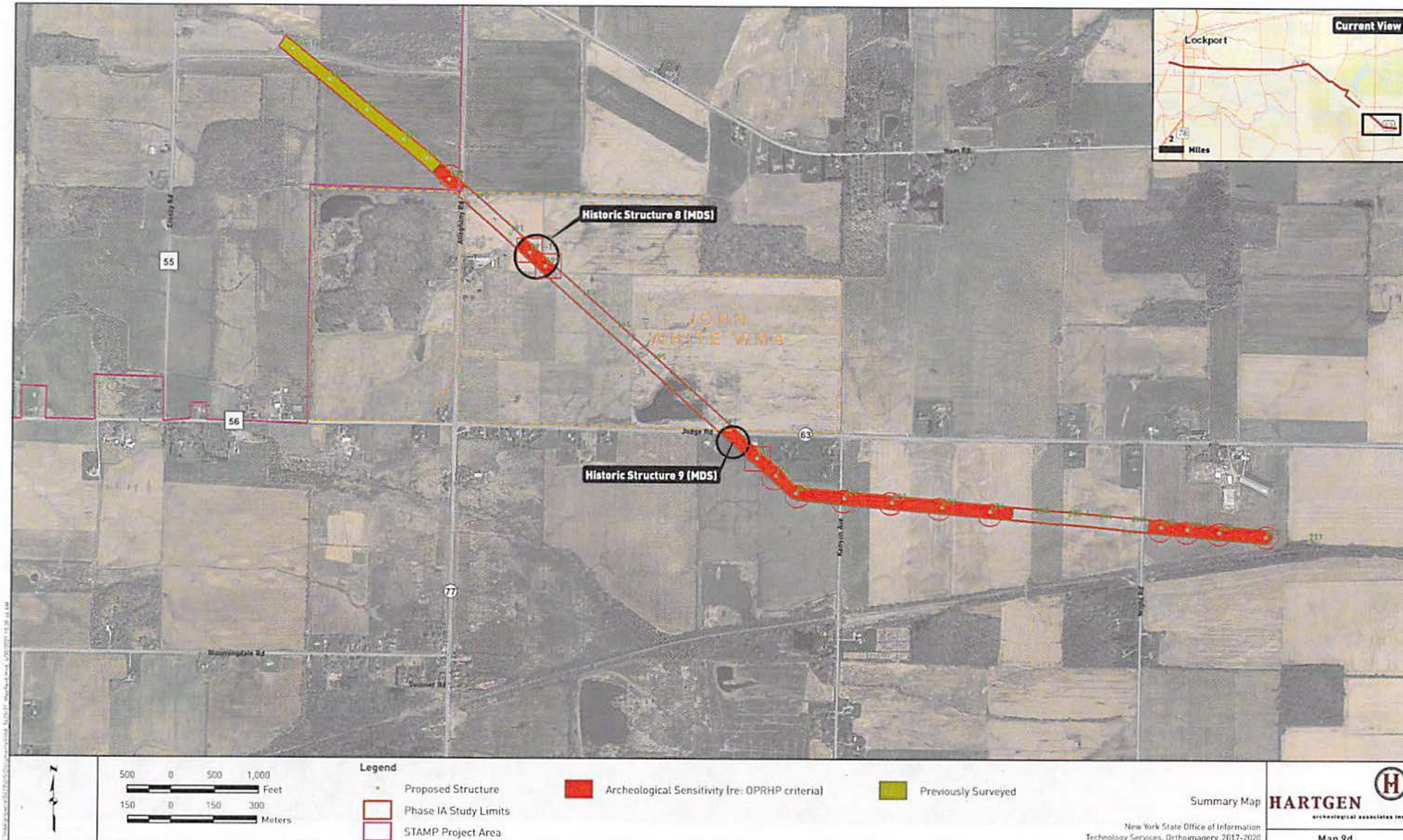
Map 9a

Lockport Batavia #112 Rebuild Project, Towns of Lockport, Royalton, and Alabama, and City of Lockport, Niagara and Genesee Counties, New York
Phase I Archeological Survey



Lockport Batavia #112 Rebuild Project, Towns of Lockport, Royalton, and Alabama, and City of Lockport, Niagara and Genesee Counties, New York
Phase I Archeological Survey





Summary Map

New York State Office of Information Technology Services, Orthoimagery, 2017-2020

HARTGEN archeological associates inc

Map 9d

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

March 24, 2025

Faith Page
Fisher Associates
180 Charlotte St
Rochester, NY 14607

Re: Lockport-Batavia Line 112 Rebuild Project
County: Genesee, Niagara Town/City: City of Lockport, Lockport, Royalton, Alabama

Dear Nicole Lake:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 8 Office, Division of Environmental Permits, at dep.r8@dec.ny.gov and the NYSDEC Region 9 Office, Division of Environmental Permits at dep.r9@dec.ny.gov.

Sincerely,

Heidi Krahling
Environmental Review Specialist
New York Natural Heritage Program

The following state-listed animals have been documented at, or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

For information about any permit considerations for the Genesee County section of the project, please contact the Permits staff at the NYSDEC Region 8 Office at dep.r8@dec.ny.gov, (585) 226-5400.
For information about any permit considerations for the Erie County section of your project, please contact the Permits staff at the NYSDEC Region 9 Office at dep.r9@dec.ny.gov, (716) 851-7165.

Birds

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
The following species has been documented in the vicinity of Segment 2.				
Short-eared Owl *Nonbreeding*	*Asio flammeus*	Endangered		14568
The following species have been documented in the vicinity of Segments 3, 4, 4 Relocation, and 5.				
Northern Harrier *Nonbreeding*	*Circus hudsonius*	Threatened		15013
Pied-billed Grebe *Breeding*	*Podilymbus podiceps*	Threatened		10651
Black Tern *Breeding*	*Chlidonias niger*	Endangered		9373
Least Bittern *Breeding*	*Botaurus exilis*	Threatened		6222
Bald Eagle *Breeding*	*Haliaeetus leucocephalus*	Threatened		11597
Short-eared Owl *Breeding and Nonbreeding*	*Asio flammeus*	Endangered		11106
Henslow's Sparrow *Breeding*	*Centronyx henslowii*	Threatened		5140
Sedge Wren *Breeding*	*Cistothorus stellaris*	Threatened		6231
King Rail *Breeding*	*Rallus elegans*	Threatened		1621

Note: This area is also a state-significant Raptor Winter Concentration Area.

Birds

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
The following species have been documented in the vicinity of Segment 7.				
Northern Harrier *Nonbreeding*	*Circus hudsonius*	Threatened		15013
Short-eared Owl *Nonbreeding*	*Asio flammeus*	Endangered		15235
Sedge Wren *Breeding*	*Cistothorus stellaris*	Threatened		14766
Pied-billed Grebe *Breeding*	*Podilymbus podiceps*	Threatened		12479

Note: This area is also a state-significant Raptor Winter Concentration Area.

This report only includes records from the NY Natural Heritage database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

The following rare plants and rare animals have been documented at the project site, or in its vicinity.

We recommend that potential impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following animals, while not listed by New York State as Endangered or Threatened, are of conservation concern to the state, and are considered rare by the New York Natural Heritage Program.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Fish

Black Bullhead *Ameiurus melas* Unlisted Critically Imperiled in NYS

Documented at the corner of Segment 4 Relocation where Lewiston Road meets Feeder Road. 2012-08-20. 14638

Birds

Ruddy Duck *Oxyura jamaicensis* Game Species Critically Imperiled in NYS

Breeding

Documented within 200 yards northwest of Segment 4 Relocation. 2001-06-25. The birds were observed in an emergent marsh. 10205

Prothonotary Warbler *Protonotaria citrea* Protected Bird Imperiled in NYS

Breeding

Documented within 0.5 mile southwest of Segments 3, 4, and 4 Relocation. 2014-06-18. Tonawanda marshes. The birds were found in a flooded woodland dominated by green ash and red maple. 6538

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and are a vulnerable natural resource of conservation concern.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*HERITAGE CONSERVATION STATUS*

Vascular Plants

Heart-leaved Plantain *Plantago cordata* Rare Vulnerable in NYS

Documented within 0.4 mile southwest of Segment 5. 1999-05-09: The plants occur along and within a small, mud bottom stream. With the exception of that portion flowing through the wildlife management area the stream is shaded by a mature canopy of hemlock and hardwoods. Those plants observed within the wildlife management area are primarily in the open and exposed to direct sunlight for much of the day. 10050

Frank's Sedge *Carex frankii* Endangered Imperiled in NYS

Documented within 0.25 mile southwest of Segment 5. 2022-08-13: On bare ground along small, seasonal creek in land to be developed. 10050

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org.

From: Sean Milne
Sent: Wednesday, February 12, 2025 12:56 PM
To: Kennedy, Heidi E (DEC); thomas.walker@dec.ny.gov; Call, Robert B (DEC); michelle.woznick@dec.ny.gov; Czechowicz, Lisa M (DEC)
Cc: Mary Bitka; Faith Page; Carol Zimberlin
Subject: RE: NG Lockport Batavia Case # (22-T-0654) Consultation Review Request
Attachments: 2021-01-19 National Grid Lockport-Batavia Line 112 ETS Consultation Letter.pdf; NYSDEC Region 9 Response 10.7.2020- Lockport-Batavia112TransmissionProject.TEConsultation.pdf; 2 NG_Lockport_Batavia_2-2_Project_Location_Map_20210816.pdf

Sorry all. I removed Dave Denk and added Lisa Czechowicz as I was informed Dave retired. Thanks,

Sean Milne
Environmental Group Manager

FISHER ASSOCIATES

180 Charlotte Street,
Rochester NY, 14607

585.334.1310 ext. 216 (office)
585.269.0054 (cell)

SMilne@FisherAssoc.com
www.fisherassoc.com

PTO Notice: 2/17-2/21

From: Sean Milne
Sent: Wednesday, February 12, 2025 12:51 PM
To: Kennedy, Heidi E (DEC) <heidi.kennedy@dec.ny.gov>; thomas.walker@dec.ny.gov; Call, Robert B (DEC) <Robert.Call@dec.ny.gov>; michelle.woznick@dec.ny.gov; Denk, David (DEC) <david.denk@dec.ny.gov>
Cc: Mary Bitka <mary.bitka@nationalgrid.com>; Faith Page <FPage@fisherassoc.com>; Carol Zimberlin <CZimberlin@fisherassoc.com>
Subject: NG Lockport Batavia Case # (22-T-0654) Consultation Review Request

Hello DEC Region 8 and Region 9 staff,

I'm reaching out regarding the National Grid Lockport Batavia 112 Rebuild Project. A project location map is attached for reference. Both Region 8 and Region 9 were previously consulted with regarding NYS threatened and endangered species and both regions responded (see attached).

This is an article VII project (Case # (22-T-0654)) and the NYS Department of Public Service requires the following:

CONDITION 24. Prior to filing the EM&CP, the Certificate Holder shall contact the NYSDEC, NYS Natural Heritage Program and the United States Fish and Wildlife Service ("USFWS") to check for any updates or changes of known threatened or endangered plant or animal species listed in New York, (collectively, "T&E" species) or habitat or Significant Natural Communities in the Project area. After the Certificate Holder learns of any updates regarding T&E species, it will inform DPS Staff of such updates. The Certificate Holder may meet its obligation to inform DPS of such an update by including it in the EM&CP.

Can you please provide any updates or changes of known threatened or endangered plant or animal species listed in New York, or habitat or Significant Natural Communities in the Project area? If nothing has changed since the attached response was provided, please let us know.

Please let us know if any additional information is needed.

Thank you,

Sean Milne
Environmental Group Manager

FISHER ASSOCIATES

180 Charlotte Street,
Rochester NY, 14607

585.334.1310 ext. 216 (office)
585.269.0054 (cell)

SMilne@FisherAssoc.com
www.fisherassoc.com

PTO Notice: 2/17-2/21

From: Saviola, Michael (AGRICULTURE) <Michael.Saviola@agriculture.ny.gov>
Sent: Tuesday, August 15, 2023 12:07 PM
To: Sean Milne
Subject: RE: National Grid Lockport Batavia-Temp Roads in Ag Lands Detail

Hey Sean:

Applicants have 3 options. Strip, mat or wait till conditions improve. Matting is obviously the preferred method but you are proposing temp gravel access roads in lieu of mats. While this is an acceptable topsoil resource protection measure, my intent is to caution Grid in that theres a substantial amount of work to be done post construction.

Prior to construction They have to:

1. Strip and stockpile topsoil
2. Temporarily stabilize it just like a gas pipeline with temporary rye, install breaks in the piles with V ditches on the uphill side connected to waterbars and sumps (sediment traps) on the downhill side of the waterbar (spacing dependent upon slope) lined with straw bales or filter sock at the edge of the LOD.
3. Apply geotextile fabric
4. Import crushed stone

Post Construction: Ag resto work is only done from mid May to mid October. Ag restoration requirements:

1. Mill out the crushed stone
2. Remove the geotextile fabric
3. Dispose the rock/subsoil/geotextile material mixture
4. Decompact subsoil with tractor-drawn farming equipment
5. Pick oversize rock
6. Dispose oversized rock
7. Replace topsoil
8. Decompact through the entire soil profile to alleviate compaction caused by replacement spreading
9. Disc and blend the edges even with off ROW
10. Lime, seed fertilizer in accordance with AGM Guidelines
11. pray for rain.
12. Monitor all restored areas for 2 years.
13. Implement follow-up restoration measures as necessary.

These steps will need to be performed for temp access roads within agricultural portions of the fee owned ROW, work pads, pole structures, and also wire pulling sites. Existing access paths and off ROW access in ag (established farm 2 track roads) may need to be "bolstered" to accommodate the increased construction traffic. These are the areas where the farmers are going to want the stone left behind and that's OK. I will advocate with DEC/DPS for that (if applicable).

One thing to keep in mind is in many instances Grid will run the risk of farmers falling in love with the gravel roads because (in some cases) it enhances field accessibility (farm viability). They are temporary and if the farmer wants them left behind we run into stormwater issues because DEC considers the gravel access roads to be 'impervious cover' requiring removal post construction or they have to design and implement post construction SMPs. Catch 22. However, we can explore discussions on this in the EM&CP Development Phase as this issue is currently developing on another project.

Didn't mean to write you a dissertation of sorts but if you or your client have any questions or require clarification, don't hesitate to reach out.

Michael J. Saviola, M.P.S.
Associate Environmental Analyst
Agricultural Protection Unit

Department of Agriculture and Markets | Division of Land and Water Resources
1530 Jefferson Road, Rochester, NY 14623
o (585) 427-0221
c (607)351-7954
michael.saviola@agriculture.ny.gov
http://www.agriculture.ny.gov

From: Sean Milne <SMilne@fisherassoc.com>
Sent: Tuesday, August 15, 2023 11:15 AM
To: Saviola, Michael (AGRICULTURE) <Michael.Saviola@agriculture.ny.gov>
Subject: FW: National Grid Lockport Batavia-Temp Roads in Ag Lands Detail

Hi Mike, Just following up on this from our conversation last week. Would you mind responding when you get a chance?
Thanks,

Sean Milne
Environmental Group Manager

FISHER ASSOCIATES

180 Charlotte Street,
Rochester NY, 14607

585.334.1310 ext. 216 (office)
585.269.0054 (cell)

SMilne@FisherAssoc.com
www.fisherassoc.com

From: Sean Milne
Sent: Wednesday, August 9, 2023 10:33 AM
To: Saviola, Michael (AGRICULTURE) <Michael.Saviola@agriculture.ny.gov>
Subject: RE: National Grid Lockport Batavia-Temp Roads in Ag Lands Detail

Hi Mike, Thanks for taking the time this morning to discuss the approach of installing temporary access roads in ag lands on the National Grid Lockport Batavia 112 Rebuild Project. Per our conversation, it seems that Ag & Markets would approve of this method. Is that correct? If so, we will proceed with planning for this per the attached detail. Also, thanks for the heads up that farmers may want to keep the roads after construction is complete. I will be sure to share that with National Grid.

Is there anything I missed or misunderstood from our conversation that I should share with National Grid?

Thanks again!

Sean Milne
Environmental Group Manager

FISHER ASSOCIATES

180 Charlotte Street,
Rochester NY, 14607

585.334.1310 ext. 216 (office)
585.269.0054 (cell)

SMilne@FisherAssoc.com
www.fisherassoc.com

From: Saviola, Michael (AGRICULTURE) <Michael.Saviola@agriculture.ny.gov>
Sent: Tuesday, August 8, 2023 5:19 PM
To: Sean Milne <SMilne@fisherassoc.com>
Subject: RE: National Grid Lockport Batavia-Temp Roads in Ag Lands Detail

***EXTERNAL EMAIL**: Use caution when opening attachments, clicking links or responding to requests for information.*

Sean:

Sure. Do you think this will be more cost effective than matting? I'm able to discuss whenever you get a chance. Just call my cell. If im in the middle of something ill call you back.

Michael J. Saviola, M.P.S.
Associate Environmental Analyst
Agricultural Protection Unit

Department of Agriculture and Markets | Division of Land and Water Resources
1530 Jefferson Road, Rochester, NY 14623
o (585) 427-0221
c (607)351-7954
michael.saviola@agriculture.ny.gov
http://www.agriculture.ny.gov

From: Sean Milne <SMilne@fisherassoc.com>
Sent: Tuesday, August 8, 2023 1:30 PM
To: Saviola, Michael (AGRICULTURE) <Michael.Saviola@agriculture.ny.gov>
Subject: National Grid Lockport Batavia-Temp Roads in Ag Lands Detail

Hi Mike, Long time no talk. I hope all is well.

Fisher Associates is supporting National Grid on the Lockport Batavia 112 Rebuild Project. The transmission line project goes from Lockport in Niagara County to the Town of Alabama in Genesee County. It is an Article VII project. National Grid is exploring using temporary access roads in ag lands instead of matting. Fisher developed the attached spec. Lands would be restored post-construction.

Was hoping to get your thoughts on this approach and was wondering if you are free sometime later this week to have a quick call on the topic? If so, is there a good day/time for you?

Thanks,

Sean Milne
Environmental Group Manager

FISHER ASSOCIATES

180 Charlotte Street,
Rochester NY, 14607

585.334.1310 ext. 216 (office)
585.269.0054 (cell)

SMilne@FisherAssoc.com
www.fisherassoc.com

From:	Faith Page
Sent:	Thursday, February 13, 2025 9:39 AM
To:	dec.sm.NaturalHeritage
Cc:	Sean Milne
Subject:	RE: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project
Attachments:	Lockport-Batavia Line 112- NHP Consultation Update Request-2023.09.07.pdf; Lockport-Batavia Line 112- NHP Response Letter-2023.10.26.pdf; KMZ_20240314.kmz

To Whom It May Concern,
On behalf of National Grid, Fisher Associates respectfully requests an updated review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia Line 112 Rebuild Project (Project). We are requesting an updated review in accordance with Article VII project Case # (22-T-0654), NYS Department of Public Service requirements as follows:

CONDITION 24. Prior to filing the EM&CP, the Certificate Holder shall contact the NYSDEC, NYS Natural Heritage Program and the United States Fish and Wildlife Service ("USFWS") to check for any updates or changes of known threatened or endangered plant or animal species listed in New York, (collectively, "T&E" species) or habitat or Significant Natural Communities in the Project area. After the Certificate Holder learns of any updates regarding T&E species, it will inform DPS Staff of such updates. The Certificate Holder may meet its obligation to inform DPS of such an update by including it in the EM&CP.

Can you please provide any updates or changes of known rare species of plants or animals and/or any ecologically significant natural communities of NYS in the Project area? If nothing has changed since the attached response was provided, please let us know.

Thank you,
Faith Page
Environmental Scientist II

FISHER ASSOCIATES

180 Charlotte St.
Rochester, NY 14607

585.334.1310 ext. 258 (office)
315.323.4506 (cell)

fpage@fisherassoc.com
www.fisherassoc.com

From: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Sent: Thursday, October 26, 2023 8:08 PM
To: Nicole Lake <NLake@fisherassoc.com>
Subject: FW: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project

Nicole,

In response to your request, please see the attached letter and reports.

Sincerely,

Heidi Krahling (she/her)
Environmental Review Specialist |New York Natural Heritage Program

SUNY College of Environmental Science & Forestry
625 Broadway, 5th Floor, Albany, NY 12233-4757
518-402-8935| heidi.krahling@dec.ny.gov
www.nynhp.org

From: Nicole Lake <NLake@fisherassoc.com>
Sent: Thursday, September 7, 2023 9:39 AM
To: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>; James Ireland <JIreland@fisherassoc.com>
Subject: RE: NHP Consultation Request for the Lockport-Batavia Line 112 Rebuild Project

To Whom It May Concern,
On behalf of National Grid, Fisher Associates respectfully requests an updated review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia Line 112 Rebuild Project (Project). We are requesting an updated review since it has been over 3-years from the prior one, and since we are getting close to submitting applications for state and federal permits. Attached please find a NYNHP Consultation Package, and the updated corresponding shapefiles of the Project ROW and potential staging areas. Should you require any additional information, please feel free to contact me.

Thanks,
Nicole

Nicole (Dutcher) Lake, PWS
Env. Project Manager and
Environmental Scientist

FISHER ASSOCIATES

180 Charlotte Street
Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

nlake@fisherassoc.com
www.fisherassoc.com

From: Nicole Dutcher
Sent: Wednesday, May 6, 2020 9:25 AM
To: 'dec.sm.NaturalHeritage' <NaturalHeritage@dec.ny.gov>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>
Subject: RE: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

Hi Heidi-
Thank you very much for the thorough review of our site! Hope you have a great rest of your week.

Thank you,
Nicole

Nicole Dutcher, WPIT
Environmental Scientist

FISHER ASSOCIATES

180 Charlotte Street
Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

ndutcher@fisherassoc.com
www.fisherassoc.com

From: dec.sm.NaturalHeritage [mailto:NaturalHeritage@dec.ny.gov]
Sent: Tuesday, May 5, 2020 6:29 PM
To: Nicole Dutcher <NDutcher@fisherassoc.com>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>
Subject: RE: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

***EXTERNAL EMAIL**: Use caution when opening attachments, clicking links or responding to requests for information.*

Ms. Dutcher,

In response to your request, please see the attached letter and reports.

Sincerely,

Heidi Krahling, Environmental Review Specialist
NY Natural Heritage Program
625 Broadway, 5th Floor
Albany, NY 12233-4757
www.nynhp.org

From: Nicole Dutcher <NDutcher@fisherassoc.com>
Sent: Thursday, April 9, 2020 2:18 PM
To: dec.sm.NaturalHeritage <NaturalHeritage@dec.ny.gov>
Cc: Mary Bitka (mary.bitka@nationalgrid.com) <mary.bitka@nationalgrid.com>; Sean Milne <SMilne@fisherassoc.com>
Subject: NHP Consultation Request for the Lockport-Batavia #112 Rebuild Project

To Whom It May Concern-
On behalf of National Grid, Fisher Associates respectfully requests a review of potential impacts to rare species of plants or animals and/or any ecologically significant natural communities of NYS that may result from the proposed Lockport-Batavia #112 Rebuild Project (Project). Attached please find a NYNHP Consultation Package, and the corresponding shapefiles of the Project ROW. Should you require any additional information, please feel free to contact me.

Thank You,
Nicole Dutcher

Nicole Dutcher, WPIT
Environmental Scientist

FISHER ASSOCIATES

180 Charlotte Street

Rochester, NY 14607

585.334.1310 ext. 241 (office)
585-944-0706 (mobile)

ndutcher@fisherassoc.com
www.fisherassoc.com

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

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

September 08, 2020

Carol Zimberlin
Environmental Analyst
Fisher Associates
180 Charlotte Street
Rochester, NY 14607

Re: PSC
National Grid Lockport-Batavia #112 Rebuild Project - Soil Boring Locations
Lewiston and Judge Roads, Alabama, Genesee County, NY
20PR05386

Dear Carol Zimberlin:

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 E

Pre-Construction Requirements and Contractor Certifications

CONTRACTOR'S CERTIFICATION STATEMENT

All contractors and subcontractors that will be responsible for installing, constructing, repairing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractors and subcontractors that will be responsible for the construction of all post-construction storm water management practices included in the SWPPP must sign the following certification statement before commencing any construction activity.

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations."

Site Location: _____

Name: _____

Company: _____ **Title:** _____

Company Address: _____

_____

Company Telephone: _____ **Fax:** _____

Signature: _____ **Date:** _____

Elements of SWPPP responsible for: _____

_____

Trained Individual Responsible for Implementation: _____

Title: _____

SUBCONTRACTOR'S CERTIFICATION STATEMENT

All subcontractors that will be responsible for installing, constructing, repairing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the subcontractors that will be responsible for the construction of all post-construction storm water management practices included in the SWPPP must sign the following certification statement before commencing any construction activity.

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

Site Location: _____

Name: _____

Company: _____ **Title:** _____

Company Address: _____

_____

Company Telephone: _____ **Fax:** _____

Signature: _____ **Date:** _____

Elements of SWPPP responsible for: _____

_____

Trained Individual Responsible for Implementation: _____

Title: _____

Appendix F
Stormwater Construction Site Inspection Reports

Stormwater Construction Site Inspection Report Report # XX

General Information			
Project Name	**NG Lockport Batavia #112 Article VII**		
SPDES Permit I.D. No.		**Project No.**	
Date & Time of Inspection		**Project Location**	
Qualified Inspector's Name(s)		**Qualified Inspector's Title(s)**	
Inspector's Contact Information	Company Name, Address, and phone number	**Inspector's Email:** **Inspector's Cell Phone #:**	
Work Observed			

Type of Inspection
☐ **Weekly** ☐ **Monthly** ☐ **Twice Weekly**

Weather at time of this inspection?
☐ **Sunny** ☐ **Cloudy** ☐ **Raining** ☐ **Snow Cover**

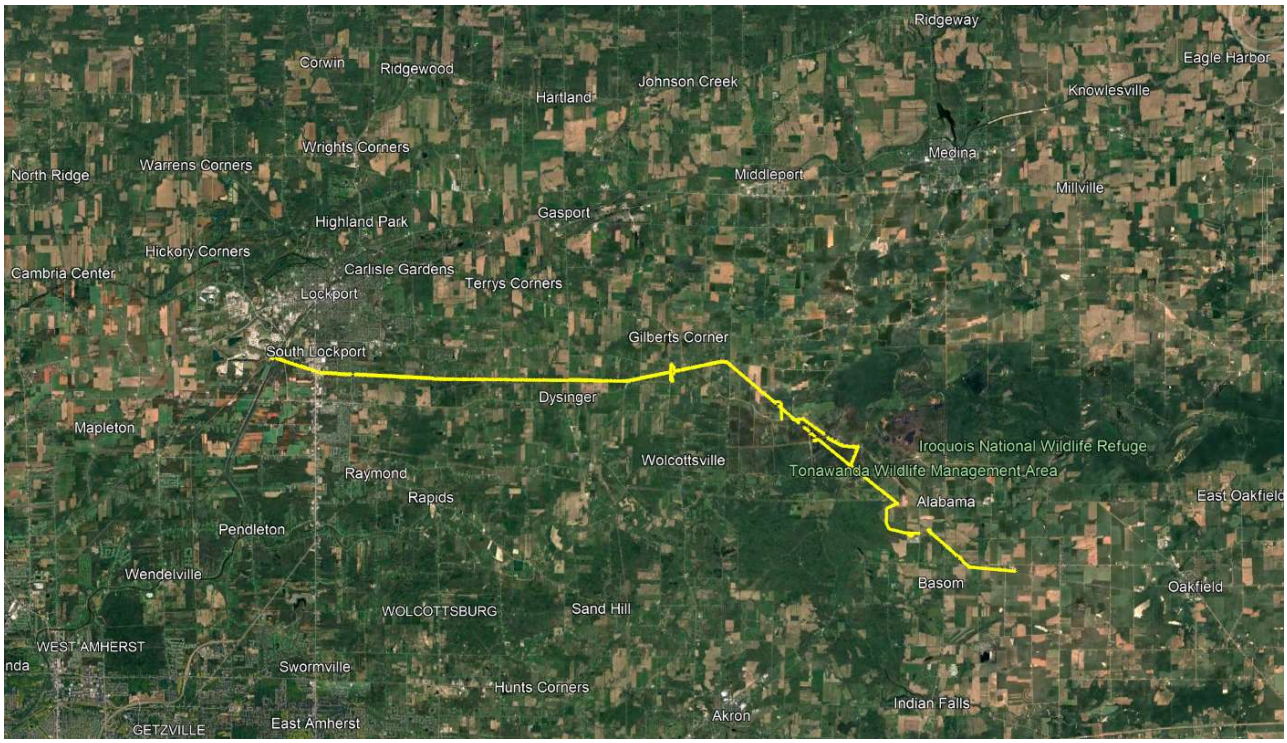
Soil Conditions at time of this inspection?
☐ Dry ☐ Frozen ☐ Wet

Are there any discharges (offsite/onsite to natural surface waters) at the time of inspection? ☐Yes ☐No

Describe the condition of all points of discharge to natural surface waters and all points of discharge from the construction site located within, or immediately adjacent to the project's property boundaries, which receive runoff from disturbed areas (specifically note if sediment is present):

	SWPPP Documentation Compliance	
1.	Has Notice of Intent (NOI) been filed with NYSDEC and the NOI Acknowledgment form been received?	☐Yes ☐No ☐N/A
2.	Is the SWPPP on-site? SWPPP documentation onsite and current	☐Yes ☐No ☐Yes ☐No
3.	Is the Approved Phasing Plan for Disturbance > 5 Acres being followed? Project will not disturb more than 5 acres	☐Yes ☐No ☐N/A
4.	Is the Project Schedule being followed?	☐Yes ☐No
5.	Any SWPPP revisions? Latest revision date: (list all revision dates)	☐Yes ☐No

All inspection reports shall include an overview map of the project (either GIS map or site plan) that is annotated for each inspection with general work locations/areas of disturbance.



	Best Management Practice/Activity		Maintained? If no, list corrective actions required	Required Completion Date, Company, and Responsible Person
Disturbance				
1.	Are construction limits and important resource areas clearly flagged or fenced?	☐Yes ☐No ☐N/A	☐Yes ☐No	
2.	Are areas outside the construction limits undergoing disturbance? **If yes, explain**	☐Yes ☐No		
3.	Has any single area > 5 Acres been disturbed?	☐Yes ☐No	☐Yes ☐No	
4.	Are clearing and grubbing operations minimized to the smallest practicable area?	☐Yes ☐No ☐N/A	☐Yes ☐No	
5.	Has clean stormwater runoff been diverted around areas to be disturbed?	☐Yes ☐No ☐N/A	☐Yes ☐No	
E&SC Practices				
6.	Were the sediment traps installed prior to any land-disturbing activity?	☐Yes ☐No ☐N/A	☐Yes ☐No	
7.	Are stabilized temporary construction entrances and construction staging area(s) in place?	☐Yes ☐No ☐N/A	☐Yes ☐No	
8.	Have construction access roads been properly stabilized?	☐Yes ☐No ☐N/A	☐Yes ☐No	
9.	Is there evidence of sediment being tracked onto the street?	☐Yes ☐No	☐Yes ☐No	
10.	Has silt fence been or other perimeter sediment control barriers been installed?	☐Yes ☐No ☐N/A	☐Yes ☐No	
11.	Are storm drain inlets properly protected?	☐Yes ☐No ☐N/A	☐Yes ☐No	
12.	Are washout facilities for concrete available and clearly marked?	☐Yes ☐No ☐N/A	☐Yes ☐No	
13.	Are temporary and/or permanent check dams in place?	☐Yes ☐No ☐N/A	☐Yes ☐No	
14.	Are top soil and excess excavated material stored in stabilized stock piles?	☐Yes ☐No ☐N/A	☐Yes ☐No	

	Best Management Practice/Activity		Maintained? If no, list corrective actions required	Required Completion Date, Company, and Responsible Person
15.	Are dust control measures being properly implemented?	☐Yes ☐No ☐N/A	☐Yes ☐No	
16.	Were creek crossings installed prior to any land-disturbing activity?	☐Yes ☐No ☐N/A	☐Yes ☐No	
Stabilization				
17.	Are all slopes not being actively worked properly stabilized?	☐Yes ☐No ☐N/A	☐Yes ☐No	
18.	Are soil slopes steeper than 1V: 3H undergoing surface roughening/seed/mulch?	☐Yes ☐No ☐N/A	☐Yes ☐No	
19.	Are disturbed areas stabilized within 14 days?	☐Yes ☐No ☐N/A	☐Yes ☐No	
20.	Is the site adequately stabilized at this time?	☐Yes ☐No	☐Yes ☐No	
Other Best Management Practices				
21.	Are vehicle and equipment fueling, clean-out, and maintenance areas free of spills, leaks, or any other deleterious material?	☐Yes ☐No ☐N/A	☐Yes ☐No	
22.	Are materials that are potential stormwater contaminants stored inside or under cover?	☐Yes ☐No ☐N/A	☐Yes ☐No	
23.	Are appropriate materials to control spill located onsite?	☐Yes ☐No ☐N/A	☐Yes ☐No	
24.	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	☐Yes ☐No ☐N/A	☐Yes ☐No	
25.	Is trash/litter from work areas collected and placed in covered trash receptacles?	☐Yes ☐No ☐N/A		
26.	Are any practices listed in the SWPPP missing?	☐Yes ☐No		

Qualified Inspector's Signature:

Date:

Site Photos and Corrective Action Photos:

[Please include necessary pictures as required by the permit and briefly describe the issue.]

Appendix G
NYSDEC Notice of Termination (NOT)

Construction General Permit (CGP) Electronic Notice of Termination (eNOT) GP-0-25-001

version 1.3

(Submission #: HQB-H61A-74WFS, version 1)

Details

Submission Alias	Construction General Permit (CGP) Electronic Notice of Termination (eNOT) GP-0-25-001: Lockport Batavia
Originally Started By	Rosemary Wightman
Alternate Identifier	NYR—NG Lockport Batavia #112 Article VII—Region 9
Submission ID	HQB-H61A-74WFS
Status	Draft

Form Input

Owner/Operator Information

1. SPDES Identification Number
NYR

2. Owner/Operator Name
Niagara Mohawk Power Corporation dba National Grid

3. Owner/Operator Contact Person Information

First and Last Name	Phone	E-mail
Mary Bitka	(716) 984-0664	mary.bitka@nationalgrid.com

4. Owner/Operator Mailing Address

144 Kensington Avenue
Buffalo, NY 14214
USA

Project Site Information

Site Information

5. Project/Site Name
NG Lockport Batavia #112 Article VII

6. Site Address

701 Hinman Road

Lockport, NY 14094

Niagara

7. Site Latitude & Longitude
43.1484112,-78.7183428

Reason for Termination

8. Reason for Termination
Total project completion—Part V.A.1.a.

Have the following requirements from Part V.A.1.a.i–v. been completed?

8.a.i. All construction activity identified in the SWPPP has been completed
No

8.a.ii. All areas of disturbance have achieved final stabilization
No

8.a.iii. All temporary, structural erosion and sediment control measures have been removed
No

8.a.iv. All SMPs have been constructed in conformance with the SWPPP and are operational
No

8.a.v. An as-built drawing has been prepared
NONE PROVIDED

All conditions in Part V.A.1.a. must be completed for the owner/operator to terminate coverage.
If the construction activity meets one of the other requirements in Part V.A.1., please select the correct answer for the Reason for Termination above.

9. Final Stabilization Date
NONE PROVIDED

Final Site Information

10. Did this construction activity require qualified inspector inspections in accordance with Part IV.C.1. of GP-0-25-001?
Yes

11. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices?
No

12. Is this construction activity subject to the review authority of a Traditional Land Use Control MS4 Operator?
Yes

MS4 Acceptance

eNOT MS4 Acceptance Form

Download the eNOT MS4 Acceptance form using the link below.
eNOT MS4 Acceptance Form

13. Upload eNOT MS4 Acceptance Form

> *NONE PROVIDED*
> **Comment**
> *NONE PROVIDED*

13.a. Has the form been signed by the principal executive officer or ranking elected official—or duly authorized representative of that person—in accordance with Part VII.J. and submitted along with this eNOT?
No

> All forms submitted with the eNOT must be signed in accordance with Part VII.J. of GP-0-25-001.

Certifications

Qualified Inspector Certification Form—Final Stabilization Download

Download the Qualified Inspector Certification Form—Final Stabilization by clicking the link below.
Qualified Inspector Certification Form—Final Stabilization

14. Upload Qualified Inspector Certification—Final Stabilization

NONE PROVIDED

Comment

NONE PROVIDED

14.a. Has the eNOT Qualified Inspector Certification—Final Stabilization Form been signed by a qualified inspector in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOT?

No

> All forms submitted with the eNOT must be signed in accordance with Part VII.J. of GP-0-25-001.

eNOT Owner/Operator Certification Form Download

Download the eNOT Owner/Operator Certification Form by clicking the link below.
eNOT Owner/Operator Certification Form

16. Upload eNOT Owner or Operator Certification Form

NONE PROVIDED

Comment

NONE PROVIDED

16.a. Has the eNOT Owner or Operator Certification been signed by the owner/operator, or a representative of the owner/operator in accordance with Part VII.J of GP-0-25-001 and uploaded to the eNOT?

No

> All forms submitted with the eNOT must be signed in accordance with Part VII.J. of GP-0-25-001.

eNOT Qualified Inspector Certification – Final Stabilization

for construction activities seeking termination from the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

I. Project Owner/Operator Information

a. Owner/Operator Name: Niagara Mohawk Power Corporation dba National Grid

b. Contact Person: Mary Bitka

c. Street Address: 144 Kensington Avenue

d. City/State/Zip: Buffalo/NY/14214

II. Project Site Information

a. Project/Site Name: NG Lockport Batavia #112 Article VII

b. Street Address: 701 Hinman Road

c. City/State/Zip: Lockport/NY/14094

d. CGP SPDES Permit ID:

III. Certification Statement

I hereby certify that all the requirements in CGP Part V.A.1.a.i., ii., and iii. or CGP Part V.A.1.b.i., ii., and iii. have been achieved. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

a. Printed name of the Qualified Inspector:

b. Title/Position:

c. Signature:

d. Date:

eNOT Qualified Inspector Certification – SMPs

for construction activities seeking termination from the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

I. Project Owner/Operator Information

a. Owner/Operator Name: Niagara Mohawk Power Corporation dba National Gri
b. Contact Person: Mary Bitka
c. Street Address: 144 Kensington Avenue
d. City/State/Zip: Buffalo/NY/14214

II. Project Site Information

a. Project/Site Name: NG Lockport Batavia #112 Article VII
b. Street Address: 701 Hinman Road
c. City/State/Zip: Lockport/NY/14094
d. CGP SPDES Permit ID:

III. Certification Statement

I hereby certify that all the requirements in CGP Part V.A.1.a.iv. or CGP Part V.A.1.b.iv. have been achieved. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

a. Printed name of the Qualified Inspector:
b. Title/Position:
c. Signature:
d. Date:

eNOT MS4 Acceptance

for construction activities seeking termination from the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

I. Project Owner/Operator Information

a. Owner/Operator Name: Niagara Mohawk Power Corporation dba National Grid

b. Contact Person: Mary Bitka

c. Street Address: 144 Kensington Avenue

d. City/State/Zip: Buffalo/NY/14214

II. Project Site Information

a. Project/Site Name: NG Lockport Batavia #112 Article VII

b. Street Address: 701 Hinman Road

c. City/State/Zip: Lockport/NY/14094

d. CGP SPDES Permit ID:

III. Traditional Land Use Control MS4 Operator Information

a. Name of MS4 Operator: Town of Lockport

b. MS4 SPDES Permit ID Number: NYR20A

c. Street Address:

d. City/State/Zip:

e. Telephone Number:

IV. Certification Statement

I have determined that it is acceptable for the owner or operator of the construction project identified above to submit the electronic Notice of Termination in accordance with CGP Part V. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

a. Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.:

b. Title/Position:

c. Signature:

d. Date:

eNOT Owner or Operator Certification

for construction activities seeking termination from the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(The completed form must be attached to the eNOT, which must be submitted to NYSDEC electronically in accordance with CGP Part V.A.5.)

I. Project Owner/Operator Information

a. Owner/Operator Name: Niagara Mohawk Power Corporation dba National Grid

b. Contact Person: Mary Bitka

c. Street Address: 144 Kensington Avenue

d. City/State/Zip: Buffalo/NY/14214

II. Project Site Information

a. Project/Site Name: NG Lockport Batavia #112 Article VII

b. Street Address: 701 Hinman Road

c. City/State/Zip: Lockport/NY/14094

d. CGP SPDES Permit ID:

III. Certification Statement

I certify that I have met the requirements of CGP Part V.A.1., 2., 3., and 4. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

a. Printed name of the Owner or Operator:

b. Title/Position:

c. Signature:

d. Date:

Appendix H

Spill Containment and Cleanup Procedures

(National Grid EG-501NYN and EG-502NYN)

SUBJECT	REFERENCE
Release Notifications in New York North	**EP-5, Release Response**

Purpose / Objective: This guidance document provides instructions for reporting a release of oil, chemical, or hazardous material.

Who: All National Grid employees and contractors working on National Grid projects or properties.

What to Do:

REPORT ALL RELEASES IMMEDIATELY to the National Grid Regional Control Center (RCC), regardless of the volume released, cause, or release location.

- EASTERN RCC (518) 344-4871
- CENTRAL RCC (315) 460-4796
- WESTERN RCC (716) 398-5308

Provide the following information to the RCC concerning the release:

- Your name and contact information
- Time of release **discovery** (by National Grid, our contractors, or government authorities)
- Location (be specific)
- Material released and estimated quantity
- Source (vehicle number, transformer, gas meter, HVAC unit, tank number, etc.)
- Cause (i.e., equipment failure, motor vehicle accident, storm, human factor, other)
- Description of impacted area and resources (land, water, air)
- Request cleanup crew

In the event RCC is unable to be reached, contact Division Environmental Engineer (DEE):

- EASTERN DEE: Matt Root (518) 227-7508
- CENTRAL DEE: Erin Urbanski (716) 329-2302
- WESTERN DEE: Paige Parsons(315) 640-0593

SUBJECT	REFERENCE
Release Notifications in New York North	**EP-5, Release Response**

REGIONAL CONTROL CENTER:

1. Upon notification of a release, contact New York State Spill Hotline (1-800-457-7362) within 2 hours (of discovery time).

2. If release is reported at an Environmental SIR Site or if the release is to water, contact Division Environmental Engineer immediately (see below).

3. Record release in the Incident Management System (IMS).

4. Contact Division Environmental Engineer.

ENVIRONMENTAL MANAGEMENT:

1. Communicate with National Grid field crews and/or contractors and environmental spill responders to assess additional reporting requirements (e.g., releases to waterways and PCB releases require additional reporting).

    - National Response Center and USEPA [1-800-424-8802]

    - Chemical Safety Board [refer to EG-511]

2. Document, review incident details, and classify the release in IMS.

3. Responsible for spill oversight to confirm spill cleanup addresses regulatory requirements.

RELEASE REPORTING ON NEW YORK SIR MGP SITES

Environmental Site Investigation and Remediation has entered into Consent Orders with the New York State Department of Environmental Conservation (NYSDEC) to evaluate and, where necessary, remediate former manufactured gas plant (MGP) sites. These sites are managed by a National Grid project manager (PM). As agreed with NYSDEC, in the event of an accidental release or spill of material at an MGP site which will require subsurface excavation work for cleanup:

- Report release using procedures above.

- The National Grid PM must be notified as soon as possible to coordinate work.

- The National Grid PM to work with Division Environmental Engineer to document in IMS.

HELP: Contact the local Environmental Representative if you have questions.

- EASTERN DEE: Matt Root (518) 227-7508
- CENTRAL DEE: Erin Urbanski (716) 329-2302
- WESTERN DEE: Paige Parsons (315) 640-0593

SUBJECT	REFERENCE
Release Clean-Up in New York North	EP-5; Release Response

Purpose / Objective:

The purpose of this guidance document is to provide guidelines for the clean-up of oil and chemical releases. EG-501NYN provides requirements for release reporting. For Mercury releases refer to Safety Procedure G-701 (Mercury Spill Response Procedure).

Who:

This guidance applies to National Grid and contractor personnel who are assigned to respond and/or clean up a release.

What To Do:

Immediate Actions:

- Don personnel protective equipment (PPE) as determined appropriate for the release.
- Secure and restrict access to the release area using physical barriers, visible warnings (caution tape, cones, etc.), or other means. Prevent unauthorized persons from entering the area.
- Do not walk or drive through or contact the released material. Maintain a safe distance from the released area.
- Contain the release if it is safe to do so. Utilize spill kit materials provided at facilities storeroom, substations, and on company vehicles and other methods.
- Use absorbent/containment materials to minimize migration of oil and chemicals to waterways and natural resources (drainage basins, ditches, wetlands, etc.)

Release Assessment:

Assess the release area:

- Location and size/extent of impacts (be specific)
- Material released and estimated quantity
- Source (vehicle number, transformer, gas meter, HVAC unit, tank number, etc.)
- Cause (equipment failure, motor vehicle accident, storm, human factor, other)
- Description of impacted area and resources affected (land, water, air)

Communication with Environmental:

All releases are unique. The clean-up methodology employed will depend upon the nature of the material released, the amount released, location, and if the release impacted a sensitive receptor (i.e., public exposure, releases to bodies of water or municipal systems and/or private property damage).

Any contact with members of the public, emergency agencies or regulatory personnel should be documented by the response crew.

Contact Division Environmental Engineer to determine proper spill response and clean-up. Use of specialized emergency response contractors may be required.

Clean up Requirements

The guidance listed below is meant to be general and not prescriptive.

- Remove all visible traces of oil using absorbent materials rags and/or cleaners.
- Document clean-up efforts.
- Containerize waste in appropriate containers, label and secure for management by Environmental.
- If oil-filled electrical equipment is involved in release, refer to procedures outlined in EG-1401 for guidance.
- Field PCB test kits (CLOR-N-OIL) can be used to screen mineral oil dielectric fluid for PCBs only. Actual laboratory testing is required to determine actual PCB oil concentrations.

Additional measures to address regulatory requirements for spill closure and waste disposal may be necessary, including confirmatory soil samples, and waste characterization. These requirements are managed by the Division Environmental Engineer.

Divisional Environmental Engineer Contacts

- EASTERN DEE: Matt Root (518) 227-7508
- CENTRAL DEE: Erin Urbanski (716) 329-2302
- WESTERN DEE: Lisa Montesano (716) 479-5339

Documentation

EG-502NYN Form 1 National Grid Release Clean-Up Worksheet may be used to document clean-up. Official record of all releases is maintained in the Incident Management System (IMS.) Division Environmental Engineers shall maintain and complete the release documentation in the IMS system and/or in Environmental records.

HELP:

Contact your local Environmental Representative if you have questions.

APPENDIX (Published as separate document)

EG-502NYN Form 1 National Grid Release Clean-Up Worksheet

Appendix I

Erosion and Sediment Control
Plans and Details
Construction Drawings

See EM&CP Appendix A (Sheets A&B)

Appendix J
BMP Quantities

The suggested Best Management Practices (BMPs) are based on observed site conditions at the time of the fieldwork. Alternative BMPs may be required based upon actual field conditions, the time of year the work is performed, and the type of construction equipment to be used. The National Grid construction supervisor, in consultation with the qualified inspector, will coordinate with the erosion and sediment control 4-hr trained Contractor to determine the best practice to utilize to prevent stormwater runoff.

Project Name: National Grid Lockport Batavia #112 Article VII

Date: 6/5/2025

Drawing Page / Sheet No.	Permanent Stabilized Construction Entrance	Temporary Stabilized Construction Entrance	Mat Bridge	Concrete Washout	Filter Sock	Silt Fence
	(Each)	(Each)	(Each)	(Each)	(LF)	(LF)
ES-17	1	1		0	336	330
ES-18		2		1	535	
ES-19	2	1		3	2630	831
ES-20	3	1		4		1739
ES-21	2	1		2	282	2143
ES-22					1244	1720
ES-23	2			2	307	2362
ES-24					790	2308
ES-25	2			2	2035	1178
ES-26	1	1	1		1968	1300
Total	**13**	**7**	**1**	**14**	**10500**	**14500**

Appendix K
Construction Contact List

SIGN-IN SHEET

FISHER ASSOCIATES	Project:			nationalgrid
	Meeting:	Preconstruction Meeting		
	Date:			
NAME	COMPANY / TITLE	EMAIL	PHONE	Need copy of Weekly SWPPP Report? (Y/N)

Appendix L
SWPPP Amendments

Appendix M

SPDES General Permit
for Stormwater Discharges from Construction Activity
GP-0-25-001

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (NYSDEC)

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-25-001

Construction General Permit (CGP)

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

of the Environmental Conservation Law

Effective Date: January 29, 2025 Expiration Date: January 28, 2030

Scott E. Sheeley

Chief Permit Administrator

Scott E. Sheeley JAN. 29, 2025

Authorized Signature Date

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

PREFACE

Pursuant to Section 402 of the Clean Water Act (CWA), and 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), *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 State 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 and 8, and Article 70, as well as 6 NYCRR Parts 621 and 750.

C*onstruction activities* constitute construction of a *point source* and, therefore, pursuant to ECL sections 17-0505, 17-0701, and 17-0803, the *owner or operator* must have coverage under a SPDES permit prior to *commencement of construction activities*. 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 CONSTRUCTION GENERAL PERMIT (CGP) GP-0-25-001
FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

Table of Contents

Part I. How to Obtain Coverage and General Requirements

To be covered under this permit, the *owner or operator* must meet all eligibility requirements in Part I.A. and follow the requirements for obtaining permit coverage in Part I.D., F., or G.

A. Eligibility Requirements

For a *common plan of development or sale*, the *phase(s)* that meet the eligibility requirements in Part I.A. may obtain coverage under this permit even if other *phase(s)* of the same *common plan of development or sale* do not meet the eligibility requirements and require an individual SPDES permit.

1. The *owner's or operator's construction activities* involve soil disturbances of:

    a. one or more acres; or

    b. less than one acre which are part of a *common plan of development or sale* that will ultimately disturb one or more acres; or

    c. less than one acre where NYSDEC 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*.

        i. 5,000 square feet or more, but less than one acre, and are in the New York City Watershed located east of the Hudson River, Appendix C Figure 1; or

        ii. 20,000 square feet or more, but less than one acre, within the municipal boundaries of the City of New York (NYC); or

        iii. less than 20,000 square feet which are part of a *common plan of development or sale* that will ultimately disturb 20,000 square feet or more, but less than one acre, within the municipal boundaries of NYC; or

        iv. that creates 5,000 square feet or more of *impervious area* within the municipal boundaries of NYC.

2. *Discharges* from the *owner's or operator's construction activities* are/were not:

    a. already covered by a different SPDES permit; or

    b. covered under a different SPDES permit that was denied, terminated, or revoked; or

    c. identified in an expired individual SPDES permit that was not renewed; or

    d. required to obtain an individual SPDES permit or another general SPDES permit in accordance with Part VII.K.

3. If *construction activities* may adversely affect a species that is endangered or threatened, the *owner or operator* must obtain a:

    a. permit issued pursuant to 6 NYCRR Part 182 for the project; or

    b. letter issued by NYSDEC of non-jurisdiction pursuant to 6 NYCRR Part 182 for the project.

4. If *construction activities* have the potential to affect an *historic property*, the *owner or operator* must obtain one of the following:

    a. documentation that the *construction activity* is not within an archeological buffer 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:

        i. 1-5 acres of disturbance - 20 feet; or

        ii. 5-20 acres of disturbance - 50 feet; or

iii. 20+ acres of disturbance - 100 feet.

b. NYSDEC consultation form sent to OPRHP,[1] and copied to NYSDEC's Agency Historic Preservation Officer (APO), and

i. the State Environmental Quality Review Act (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 or 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).

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

i. No Affect; or

ii. No Adverse Affect; or

iii. Executed Memorandum of Agreement.

d. documentation that SHPA Section 14.09 has been completed by NYSDEC or another state agency.

5. If *construction activities* are subject to SEQR, the *owner or operator* must obtain documentation that SEQR has been satisfied.

6. If *construction activities* are not subject to SEQR, but subject to the equivalent environmental review from another New York State or federal agency, the

[1] The consultation form can be submitted, along with other project information, through OPRHP's Cultural Resource Information System (CRIS) portal. If submitted through CRIS, paper copies of the consultation form need not be mailed.

owner or operator must obtain documentation that project review, pursuant to a process equivalent to SEQR from another New York State or federal agency, has been satisfied.

7. If *construction activities* require Uniform Procedures Act (UPA) Permits (see 6 NYCRR Part 621) from NYSDEC, or the equivalent from another New York State or federal agency, the *owner or operator* must:

    a. obtain all such necessary permits; or

    b. receive notification from NYSDEC pursuant to 6 NYCRR 621.3(a)(4) excepting Part I.A.7.a.

8. *Construction activities* are not eligible if they meet the following criteria in Part I.A.8.a. or b.:

    a. For linear transportation and linear utility project types, the *construction activities*:

        i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and

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

        iii. disturb two or more acres of *steep slope*.

    b. For all other project types, the *construction activities*:

        i. are within the watershed of *surface waters of the State* classified as AA or AA-S identified utilizing the Stormwater Interactive Map on NYSDEC's website; and

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

        iii. disturb one or more acres of *steep slope*.

B. Types of *Discharges* Authorized

1. The following *stormwater discharges* are authorized under this permit:

   a. *Stormwater discharges*, including *stormwater* runoff, snowmelt runoff, and surface runoff and drainage, associated with *construction activity*, are authorized under this permit provided that appropriate *stormwater* controls are designed, installed, and maintained in accordance with Part II. and Part III.

   b. *Stormwater discharges* from construction support activities at the *construction site* (including concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, and borrow areas) if the following requirements are met:

      i. The support activity is directly related to the *construction site* required to have permit coverage for *stormwater discharges*; and

      ii. The support activity is not a commercial operation, nor does it serve multiple unrelated *construction sites*; and

      iii. The support activity does not continue to operate beyond the completion of the *construction activity* at the site it supports; and

      iv. *Stormwater* controls are implemented in accordance with Part II. and Part III. for *discharges* from the support activity areas.

2. The following non-*stormwater discharges* associated with *construction activity* are authorized under this permit:

   a. Non-*stormwater discharges* 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"; and

   b. Non-*stormwater discharges* of waters to which other components have not been added that are used in accordance with the *SWPPP* to control dust or irrigate vegetation in stabilized areas; and

   c. Uncontaminated *discharges* from *dewatering* operations

3. Authorized *discharges* of *stormwater* or authorized *discharges* of non-*stormwater*, commingled with a *discharge* authorized by a different SPDES permit and/or a *discharge* that does not require SPDES permit authorization, are also authorized under this permit.

C. Prohibited *Discharges*

1. Non-*stormwater discharges* prohibited under this permit include but are not limited to:

    a. Wastewater from washout of concrete; and

    b. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials; and

    c. Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance; and

    d. Soaps, solvents, or detergents used in vehicle and equipment washing or external building washdown; and

    e. Toxic or hazardous substances from a spill or other release.

D. Electronic Notice of Intent (eNOI) Submittal

To receive authorization in accordance with Part I.D.3.b., the *owner or operator* must submit a complete eNOI in accordance with the requirements in Part I.D. The eNOI contains questions to: ensure eligibility requirements in Part I.A. have been met; obtain *owner or operator* contact information; obtain the total area to be disturbed and the existing/future *impervious areas* (rounded to the nearest tenth of an acre); confirm *Traditional Land Use Control MS4 Operator* jurisdiction over construction projects; satisfy the EPA eRule requirements; confirm that the Water Quality-Based Effluent Limitations in Part II. have been met; demonstrate consideration of the future risks due to climate change in accordance with Part III.A.2.; and confirm that the other *Stormwater Pollution Prevention Plan (SWPPP)* requirements in Part III. have been met.

1. An eNOI may be submitted for:

    a. *construction activities* that are not part of a *common plan of development or sale*; or

b. an entire *common plan of development or sale*; or

c. separate *phase(s)* of a *common plan of development or sale* if the following requirements are met:

    i. the *common plan of development or sale* meets the eligibility requirements of Part I.A.5. or 6.; and

    ii. the *phase(s)* meet(s) all other eligibility requirements of Part I.A.; and

    iii. Part III.C. Required *SWPPP* Components by Project Type is based on the *common plan of development or sale*, not the *phase(s)*; or

d. *tree clearing* that is associated with, or will support, a *renewable energy* generation, transmission, or storage project that meets Part I.A.5. and 6., if the *tree clearing*:

    i. meets all other eligibility requirements of Part I.A.; and

    ii. will occur in NYSDEC's Regions 3-9; and

    iii. is not within ¼ mile of a bat hibernaculum protected pursuant to 6 NYCRR Part 182; and

    iv. will occur between November 1st and March 31st.

2. As prerequisites for submitting an eNOI, the *owner or operator* must:

    a. prepare a *SWPPP* for Part I.D.1.a., b., c., or d. in accordance with Part III.; and

    b. based on the following criteria, upload the following signature forms signed in accordance with Part VII.J. to the eNOI prior to submission:

        i. for all eNOIs:

            1. the SWPPP Preparer Certification Form, Appendix F, signed by the *SWPPP* preparer; and

2. the Owner/Operator Certification Form, Appendix J, signed by the *owner or operator*; and

ii. if an eNOI includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that will *discharge* to the *MS4(s)*:

1. determine if the *Traditional Land Use Control MS4 Operator(s)* have review authority. A *Traditional Land Use Control MS4 Operator* does not have review authority where:

a. the *owner or operator* of the *construction activities* in Part I.D.2.b.ii. is the same entity as the *Traditional Land Use Control MS4 Operator* identified in Part I.D.2.b.ii.; or

b. there is a statute exempting the *owner or operator* from zoning review by the *Traditional Land Use Control MS4 Operator*; or

c. there is no such statute per Part I.D.2.b.ii.1.b., the *Traditional Land Use Control MS4 Operator* concludes, after public hearing, that it does not have zoning review authority in accordance with Legal Memorandum LU14 Updated January 2020 “Governmental Immunity from Zoning and Other Legislation”; and

2. if the *Traditional Land Use Control MS4 Operator(s)* have review authority, submit the *SWPPP* to the *Traditional Land Use Control MS4 Operator(s)* for review and have:

a. if outside the municipal boundaries of NYC: the MS4 SWPPP Acceptance Form, Appendix G, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator,* or by a duly authorized representative of that person in accordance with Part VII.J.2.; or

b. if within the municipal boundaries of NYC: The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval Form, Appendix H, signed by the principal executive officer or ranking elected official from the Traditional Land Use Control MS4 Operator, or by a duly authorized representative of that person in accordance with Part VII.J.2.; and

3. if the *Traditional Land Use Control MS4 Operator* does not have review authority, have the MS4 No Jurisdiction Form, Appendix I, signed by the principal executive officer or ranking elected official from the *Traditional Land Use Control MS4 Operator,* or by a duly authorized representative of that person in accordance with Part VII.J.2.

3. Submitting an eNOI:

a. The *owner or operator* must submit a complete Notice of Intent electronically using a NYSDEC approved form.[2]

b. The *owner or operator* is authorized to *commence construction activity* as of the authorization date indicated in the Letter of Authorization (LOA), which is sent by NYSDEC after a complete eNOI is submitted.

i. If an eNOI is received for a *SWPPP* that deviates from one of the technical standards but demonstrates *equivalence* in accordance with Part III.B.1.a.ii. or Part III.B.2.b.ii., if the *SWPPP* includes *construction activities* that are not within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)*, and/or if the *SWPPP* includes *construction activities* within the municipal boundary(ies) of *Traditional Land Use Control MS4 Operator(s)* that do not have review authority in accordance with Part I.D.2.b.ii.1., the authorization date indicated in the LOA will be 60 business days after the eNOI submission date.

[2] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

c. If *Traditional Land Use Control MS4 Operator(s)* have review authority in accordance with Part I.D.2.b.ii.2., the *owner or operator* must, within five business days of receipt of the LOA, send an electronic copy of the LOA to the *Traditional Land Use Control MS4 Operator(s)* with review authority.

E. General Requirements for *Owners or Operators* with Permit Coverage

1. As of the date the LOA is received, the *owner or operator* must make the eNOI, *SWPPP*, and LOA available for review and copying in accordance with the requirements in Part VII.H. When applicable, as of the date an updated LOA is received, the *owner or operator* must make the updated LOA available for review and copying in accordance with the requirements in Part VII.H.

2. The *owner or operator* must ensure compliance with all requirements of this permit and that the provisions of the *SWPPP*, including any changes made to the *SWPPP* in accordance with Part III.A.5., are properly implemented and maintained from the *commencement of construction activity* until:

   a. all areas of disturbance have achieved *final stabilization;* and

   b. the owner's or operator's coverage under this permit is terminated in accordance with Part V.A.5.a.

3. As of the date of the *commencement of construction activities* until Part I.E.2.a. and b. have been met, the *owner or operator* must maintain at the *construction site*, a copy of:

   a. all documentation necessary to demonstrate eligibility with this permit; and

   b. this permit; and

   c. the *SWPPP*; and

   d. the signed SWPPP Preparer Certification Form; and

   e. the signed MS4 SWPPP Acceptance Form or signed NYCDEP SWPPP Acceptance/Approval Form or signed MS4 No Jurisdiction Form (when applicable); and

   f. the signed Owner/Operator Certification Form; and

g. the eNOI; and

h. the LOA; and

i. the LOA transmittal to the Traditional Land Use Control MS4 Operator in accordance with Part I.D.3.c. (when applicable).

4. The *owner or operator* must maintain at the *construction site*, until Part I.E.2.a. and b. have been met, as of the date the documents become final or are received, a copy of the:

   a. responsible contractor's or subcontractor's certification statement(s) in accordance with Part III.A.7.; and

   b. inspection reports in accordance with Part IV.C.4. and 6.; and

   c. Request to Disturb Greater Than Five Acres and the Authorization Letter to Disturb Greater Than Five Acres in accordance with Part I.E.6. (when applicable); and

   d. Request to Continue Coverage and the Letter of Continued Coverage (LOCC) in accordance with Part I.F.2. and 4. (when applicable); and

   e. The updated LOA(s) in accordance with Part I.E.9. (when applicable).

5. The *owner or operator* must maintain the documents in Part I.E.3. and 4. 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. The documents must be paper documents unless electronic documents are accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be. If electronic documents are kept on site, the *owner or operator* must maintain functional equipment on site available to an inspector during normal hours of operation such that an inspector may view the electronic documents in a format that can be read in a similar manner as a paper record and in a legally dependable format with no less evidentiary value than their paper equivalent.

6. The *owner or operator* must meet the following requirements prior to disturbing greater than five acres of soil at any one time:

   a. The *owner or operator* must submit a written Request to Disturb Greater Than Five Acres to:

i. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, if a *Traditional Land Use Control MS4 Operator* does not have review authority in accordance with Part I.D.2.b.ii.1.; or

ii. the *Traditional Land Use Control MS4 Operator*, if a *Traditional Land Use Control MS4 Operator* has review authority in accordance with Part I.D.2.b.ii.1.; or

iii. NYSDEC's Regional Office Division of Water staff based on the project location, Appendix E, and each involved *Traditional Land Use Control MS4 Operator*, if the project spans multiple municipalities with more than one *Traditional Land Use Control MS4 Operator* involved with review authority in accordance with Part I.D.2.b.ii.1.

b. The written Request to Disturb Greater Than Five Acres must include:

i. The SPDES permit identification number (Permit ID); and

ii. Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and

iii. The phasing plan for the project and sequencing plans for all *phases* from the *SWPPP* in accordance with Part III.B.1.d.; and

iv. Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and

v. Acknowledgment that "the *owner or operator* will comply with the requirements in Part IV.C.2.b."; and

vi. Acknowledgment that "the *owner or operator* will comply with the requirements in Part II.B.1.b."

c. The *owner or operator* must be in receipt of an Authorization Letter to Disturb Greater Than Five Acres, which will include when the

authorization begins and ends and indicate a maximum area (acres) of soil disturbance allowed at any one time, from:

i. NYSDEC, if Part I.E.6.a.i. or iii. apply; or

ii. the *Traditional Land Use Control MS4 Operator*, if Part I.E.6.a.ii. applies.

7. Upon a finding of significant non-compliance with the practices described in the *SWPPP* or violation of this permit, NYSDEC may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order must be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

8. 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).[3] *Construction activity* shall not resume until written permission to do so has been received from the RWE.

9. To be authorized to implement modifications to the information previously submitted in the eNOI, the *owner or operator* must:

   a. notify NYSDEC via email at Stormwater_info@dec.ny.gov requesting access to update the eNOI; and

   b. update the eNOI to reflect the modifications and resubmit the eNOI in accordance with Part I.D.; and

   c. receive an updated LOA.

10. The eNOI, *SWPPP*, LOA, updated LOAs (when applicable), 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 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.

[3] The Regional Water Manager where a DEC Region does not have a RWE.

F. Permit Coverage for *Discharges* Authorized Under GP-0-20-001

When applicable:

1. Upon the effective date of this permit, an *owner or operator* of *a construction activity*, with coverage under GP-0-20-001, will have interim coverage under GP-0-25-001 for 45 calendar days starting on the effective date of GP-0-25-001 so long as the *owner or operator* maintains compliance with all applicable requirements of this permit.

2. Within 30 calendar days of the effective date of this permit, the *owner or operator*, with coverage under GP-0-20-001, must submit a complete Request to Continue Coverage electronically using a NYSDEC approved form,[4] which contains the information identified in Part I.F.3. below, if:

   a. the *owner or operator* continues to implement the SMP component in conformance with the technical standards in place at the time of initial project authorization; and

   b. the *owner or operator* will comply with all non-design requirements of GP-0-25-001.

3. The Request to Continue Coverage form contains questions to: ensure eligibility requirements in Part I.A. have been met; verify *owner or operator* contact information; verify the permit identification number; verify the original eNOI submission ID, if applicable; verify Part I.F.2.a. and b.; verify the version of the Design Manual that the technical/design components conform to; and receive an updated Owner/Operator Certification Form, Appendix I.

4. The *owner or operator* has obtained continued coverage under GP-0-25-001 as of the date indicated in the LOCC, which is sent by NYSDEC after a complete Request to Continue Coverage form is submitted.

5. If the owner or operator does not submit the Request to Continue Coverage form in accordance with Part I.F.2. and 3., coverage under this permit is automatically terminated after interim coverage expires.

[4] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

G. Change of *Owner or Operator*

When applicable:

1. When property ownership changes, or when there is a change in operational control over the construction plans and specifications, the following process applies:

    a. The new *owner or operator* must meet the applicable prerequisites for submitting an eNOI in accordance with Part I.D.2.; and

    b. The new *owner or operator* must submit an eNOI in accordance with Part I.D.3.; and

    c. Permit coverage for the new *owner or operator* will be effective upon receipt of the LOA in accordance with Part I.D.3.b.; and

    d. The new *owner or operator*, upon receipt of their LOA, must provide their Permit ID to the original *owner or operator*; and

    e. If the original *owner or operator* will no longer be the *owner or operator* of the *construction activity* identified in the original *owner's or operator's* eNOI, the original *owner or operator*, upon receipt of the new *owner's or operator's* Permit ID in accordance with Part I.G.1.d., must submit to NYSDEC a completed eNOT in accordance with Part V. that includes the name and Permit ID of the new *owner or operator*; or

    f. If the original *owner or operator* maintains ownership of a portion of the *construction activity*, the original *owner or operator* must maintain their coverage under the permit by modifying their eNOI; modifications to the eNOI must include:

        i. the revised area of disturbance and/or *impervious area(s)*; and

        ii. the revised SMP information, if applicable; and

        iii. a narrative description of what has changed; and

        iv. the new *owner's or operator's* Permit ID for the portion of the project removed from the eNOI.

    Owners or operators must follow Part I.E.9. to modify the eNOI.

Part II. Water Quality-Based Effluent Limitations

A. Maintaining Water Quality

NYSDEC expects that compliance with the requirements 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 the following *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:

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

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

3. There must 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 standard,* the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this permit and document in accordance with Part IV.C.4. of this permit. To address the *water quality standard* violation the *owner or operator* must include and implement appropriate controls in the *SWPPP* to correct the problem or obtain an individual SPDES permit.

If, despite compliance with the requirements of this 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 NYSDEC determines that a modification of this 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, and the *owner or operator* must obtain an individual SPDES permit prior to further *discharges* from the *construction site*.

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 II.B.1.a., b., c., d., and e. 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 II.B.1.a., b., c., d., and e. and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (BB), 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 *SWPPP* the reason(s) for the deviation, or alternative design, and provide information in the *SWPPP* demonstrating that the deviation or alternative design is *equivalent* to the technical standard.

    a. **Erosion and Sediment Controls.** At a minimum, erosion and sediment controls must be selected, designed, installed, implemented, and maintained to:

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

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

        iii. *Minimize* the amount of soil exposed during *construction activity*; and

        iv. *Minimize* the disturbance of *steep slope*; and

        v. *Minimize* sediment *discharge*s from the site; and

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

        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; and

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 ceased, whether permanently or *temporarily ceased*, the application of soil stabilization measures must be initiated by the end of the next business day and completed within 14 calendar 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 D, or are located in one of the watersheds listed in Appendix C, or are authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii., the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven calendar days from the date the soil disturbance activity 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**. Select, 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 selected, designed, installed, implemented, and maintained to:

i. *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. Soaps, detergents and solvents cannot be used; and

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. **Surface Outlets.** When discharging from basins and impoundments, the surface outlets must 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 (SMP) Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction SMPs, in accordance with Part III.C., must select, design, install, implement, and maintain the SMPs to meet the *performance criteria* in the New York State Stormwater Management Design Manual, dated July 31, 2024 (DM), using sound engineering judgment. Where SMPs are not designed in conformance with the *performance criteria* in the DM, 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 SMPs in accordance with Part III.C., must design the practices to meet the applicable *sizing criteria* in Part II.C.2.a., b., c., or d.

a. Sizing Criteria for *New Development*

i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):

1. Reduce the total WQv by application of RR techniques and standard SMPs with RRv capacity. The total WQv must be calculated in accordance with the criteria in Section 4.2 of the DM; or

2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the requirements in Part II.C.2.a.i.1. due to *site limitations* must 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 must 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 4.4 of the DM. The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs without detention or velocity controls; or

   3. The site *directly discharges* into a fifth order or larger water body (stream, river, or lake), or tidal waters, where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

iii. *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 *directly discharges* to tidal waters or fifth order or larger streams, or

2. A downstream analysis reveals that *overbank* control is not required.

iv. 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 *directly discharges* 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 Watersheds

i. Runoff Reduction Volume (RRv) and Water Quality Volume (WQv):

1. Reduce the 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 must be calculated in accordance with the criteria in Section 4.3 of the DM; or

2. Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part II.C.2.b.i.1. due to *site limitations* must 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 must 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 4.5 of the DM. The remaining portion of the total WQv that cannot be reduced must be treated by application of standard SMPs.

ii. Channel Protection Volume (CPv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. Where a CPv control orifice is provided, the minimum orifice size must be 3 inches, with acceptable external trash rack or orifice protection. 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 1-year post-development peak *discharge* is less than or equal to 2.0 cfs; or

3. The site *directly discharges* to tidal waters, or a fifth order or larger water body (stream, river, or lake) where the increase in smaller flows will not impact the stream bank or channel integrity. However, the point of *discharge* must be adequately protected against scour and erosion by the increased peak *discharge*.

iii. *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 *directly discharges* to tidal waters or fifth order or larger streams; or

2. A downstream analysis reveals that *overbank* control is not required.

iv. 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 *directly discharges* 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* must be addressed by one of the following options, as outlined in Section 9.2.1. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C) must calculate the WQv in accordance with Section 4.3 of the DM. All other *redevelopment activities* must calculate the WQv in accordance with Section 4.2 of the DM.

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 DM must be applied to all newly created pervious areas; or

2. Capture and treat 100% of the required WQv, for a minimum of 25% of the disturbed redevelopment *impervious area*, by implementation of standard SMPs or reduced by application of runoff reduction techniques; or

3. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a volume-based alternative SMP, as defined in Section 9.4 of the DM; or

4. Capture and treat 100% of the required WQv, for a minimum of 75% of the disturbed redevelopment *impervious area*, by implementation of a flow-through alternative SMP sized to treat the peak rate of runoff from the WQv design storm; or

5. Application of a combination of 1 through 4 above that provide a weighted average of at least two of the above methods. Application of this method must be in accordance with the criteria in Section 9.2.1(A)(V) of the DM; or

6. If there is an existing SMP 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 through 5 above.

ii. Channel Protection Volume (CPv) is not required if there is 0% change to hydrology that increases the *discharge* rate and volume from the project site.

iii. *Overbank* Flood Control (Qp) is not required if there is 0% change to hydrology that increases the *discharge* rate from the project site.

iv. Extreme Flood Control (Qf) is not required if there is 0% change to hydrology that increases 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*, must use SMPs that meet the *sizing criteria* calculated as an aggregate of the *sizing criteria* in Part II.C.2.a. or b. for the *new development* portion of the project and Part II.C.2.c. for the *redevelopment activity* portion of the project.

Part III. Stormwater Pollution Prevention Plan (SWPPP)

A. General *SWPPP* Requirements

1. A *SWPPP* must be prepared and implemented by the *owner or operator* of all *construction activity* covered by this permit. All authorized *discharges* must be identified in the *SWPPP*. 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 II.B. and, where applicable, the SMP requirements in Part II.C.

2. The *SWPPP* must demonstrate consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated guidance.

    a. The owner or operator must consider:

        i. the following physical risks due to climate change:

            (i) increasing temperature; and

            (ii) increasing precipitation; and

            (iii) increasing variability in precipitation, including chance of drought; and

            (iv) increasing frequency and severity of flooding; and

            (v) rising sea level; and

            (vi) increasing storm surge; and

            (vii) shifting ecology.

        ii. for each of the following:

            (i) overall site planning; and

            (ii) location, elevation, and sizing of:

                a. control measures and practices; and

                b. conveyance system(s); and

                c. detention system(s).

3. The *SWPPP* must describe the erosion and sediment control practices and where required, SMPs that will be used and/or constructed to reduce the *pollutants* in *stormwater discharges* and to assure compliance with the

requirements of this permit. In addition, the *SWPPP* must identify potential sources of pollution which may reasonably be expected to affect the quality of *stormwater discharges*.

4. All *SWPPPs*, that require the SMP component in accordance with Part III.B.2., must be prepared by a *qualified professional*.

5. The *owner or operator* must keep the *SWPPP* current so that, at all times, it accurately documents the erosion and sediment control practices that are being used or will be used during construction, and all SMPs that will be constructed on the site. At a minimum, the *owner or operator* must modify the *SWPPP*, including construction drawings:

   a. whenever the current provisions prove to be ineffective in *minimizing pollutants* in *stormwater discharges* from the site; and

   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*; and

   c. to address issues or deficiencies identified during an inspection by the *qualified inspector,* NYSDEC, or other regulatory authority; and

   d. to document the final construction conditions in an as-built drawing.

6. NYSDEC 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 must 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 NYSDEC, the *owner or operator* must make the required changes to the *SWPPP* and submit written notification to NYSDEC that the changes have been made. If the *owner or operator* does not respond to NYSDEC's comments in the specified time frame, NYSDEC 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.

7. 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 SMPs included in the *SWPPP*. The *owner or operator* must have each of the contractors and subcontractors identify at least one person from their company to be *trained contractor* that will be responsible for implementation of the *SWPPP*. The *owner or operator* must ensure that at least one *trained contractor* is on site daily when soil disturbance activities are being performed.

The *owner or operator* must have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before the *commencement of construction activities*:

> "I hereby certify under penalty of law that I understand and agree to comply with the requirements 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 requirements of the most current version of the New York State Pollutant Discharge Elimination System (SPDES) Construction General Permit (CGP) for Stormwater Discharges from Construction Activities and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the *SWPPP* that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for *SWPPP* implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* must 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 the *commencement of construction activities*, they must also sign the certification statement and provide the information listed above prior to performing *construction activities*.

B. Required *SWPPP* Contents

1. Erosion and sediment control component - The *owner or operator* must prepare a *SWPPP* that includes erosion and sediment control practices.

    a. Erosion and sediment control practices must be designed:

        i. in conformance with the BB; or

        ii. *equivalent* to the BB if deviating from Part III.B.1.a.i.

    b. If the erosion and sediment control practices are designed in conformance with Part III.B.1.a.ii., the *SWPPP* must include a demonstration of *equivalence* to the BB.

    c. At a minimum, the erosion and sediment control component of the *SWPPP* must include the following:

        i. Background information about the scope of the project, including the location, type and size of project; and

        ii. A site map/construction drawing(s) with north arrows for the project, including a general location map. At a minimum, the site map must 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) and receiving surface water(s); and

        iii. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG); and

        iv. A phasing plan for the project and sequencing plans for all *phases*, both of which must address clearing and grubbing, excavation and grading, utility and infrastructure installation, *final stabilization*,

and any other *construction activity* at the site that will result in soil disturbance.

1. The phasing plan must include:

    a. a map delineating and labeling the limits of soil disturbance for all *phases* of a project; and

    b. a table identifying the order and intended schedule of when each *phase* will begin and end its sequencing plan. The table must identify the total disturbed area for each *phase* at any one time and the total disturbed area for the overall project at any one time all on one timeline showing all overlapping quantities of disturbed area at any one time; and

2. A sequencing plan for a specific *phase* must include:

    a. a table indicating the order and intended schedule of *construction activities* within a *phase*, and corresponding construction drawings with a description of the work to be performed; and

    b. all permanent and *temporary stabilization* measures; and

v. 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; and

vi. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice; and

vii. 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; and

viii. A maintenance inspection schedule for the contractor(s) and subcontractor(s) identified in Part III.A.7. to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule must be in accordance with the requirements in the BB technical standard; and

ix. 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*; and

x. 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

xi. Identification of any elements of the design that are not in conformance with the design criteria in the BB technical standard. 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. SMP component – The *owner or operator* of *construction activity* identified in Table 2 of Appendix B must prepare a *SWPPP* that includes SMPs.

   a. SMPs must be designed in conformance with the applicable *sizing criteria* in Part II.C.2.a., c., or d.; and

   b. SMPs must be designed in conformance with the *performance criteria*:

      i. in the DM; or

      ii. *equivalent* to the DM if deviating from Part III.B.2.b.i.; or

      iii. in the New York State Stormwater Management Design Manual, dated January 2015 (2015 Design Manual), or *equivalent* to it, if the following criteria are met:

1. The eNOI is submitted in accordance with Part I.D. before January 29, 2027 for *construction activities* that are either:

    a. subject to governmental review and approval:

        i. where the *owner or operator* made any application to that governmental entity prior to the effective date of this permit; and

        ii. such application included a *SWPPP* developed using the 2015 Design Manual or *equivalent* to it; or

    b. not subject to governmental review and approval:

        i. where a fiscal allocation for the *construction activities* has been developed and approved by a governmental entity; and

        ii. the *SWPPP* was developed using the 2015 Design Manual or *equivalent* to it; and

c. If SMPs are designed in conformance with Part III.B.2.b.ii., the *SWPPP* must include the reason(s) for the deviation or alternative design and a demonstration of *equivalence* to the DM; and

d. If SMPs are designed in conformance with Part III.B.2.b.iii., the *SWPPP* must include supporting information or documentation demonstrating that Part III.B.2.b.iii.1.a. or b. apply; and

e. The SMP component of the *SWPPP* must include the following:

    i. Identification of all SMPs to be constructed as part of the project, including which option the SMP designs conform to, either Part III.B.2.b.i., ii., or iii. Include the dimensions, material specifications and installation details for each SMP; and

    ii. A site map/construction drawing(s) showing the specific location and size of each SMP; and

iii. 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; and

(ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and SMPs; and

(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; and

(iv) Summary table, with supporting calculations, which demonstrates that each SMP has been designed in conformance with the *sizing criteria* included in the DM; and

(v) Identification of any *sizing criteria* that is not required based on the requirements included in Part II.C.; and

(vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the DM. 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 DM.

iv. Soil testing results and locations (test pits, borings); and

v. Infiltration test results, when required in accordance with Part III.B.2.a.; and

vi. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each SMP. The plan must identify the entity

that will be responsible for the long-term operation and maintenance of each practice; and

3. Enhanced Phosphorus Removal Standards - The *owner or operator* of *construction activity* identified in Table 2 of Appendix B that is located in a watershed identified in Appendix C must prepare a *SWPPP* that includes SMPs designed in conformance with the applicable *sizing criteria* in Part II.C.2.b., c., or d. and the *performance criteria* Enhanced Phosphorus Removal Standards included in the DM. At a minimum, the SMP component of the *SWPPP* must meet the requirements of Part III.B.2.

C. Required *SWPPP* Components by Project Type

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 accordance with Part III.B.1. *Owners or operators* of the *construction activities*, identified in Table 2 of Appendix B, must prepare a *SWPPP* that also includes SMPs designed in accordance with Part III.B.2 or 3.

For the entire area of disturbance, including the entire *common plan of development or sale* if applicable, the owner or operator must evaluate every bullet from Appendix B Table 1 and Table 2 separately. If bullets from both Table 1 and Table 2 apply, the *SWPPP* must include erosion and sediment control practices for all *construction activities* but SMPs for only those portions of the *construction activities* that fall under Table 2 bullet(s).

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 SMPs identified in the *SWPPP*, are inspected and maintained in accordance with Part IV.B. and C.

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity*, identified in Tables 1 and 2 of Appendix B, must 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 must:

a. if the corrective action does not require engineering design:

    i. begin implementing corrective actions within one business day; and

    ii. complete the corrective actions within five business days; or

b. if the corrective action requires engineering design:

    i. begin the engineering design process within five business days; and

    ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

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 in accordance with Part IV.B.1. The *trained contractor* must begin conducting the maintenance inspections in accordance with Part IV.B.1. 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 in accordance with Part IV.B.1. if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational.

C. *Qualified Inspector* Inspection Requirements

1. With the exception of the following *construction activities* identified in Tables 1 and 2 of Appendix B, a *qualified inspector* must conduct site inspections for all other *construction activities* identified in Tables 1 and 2 of Appendix B:

    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 or equal to 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 D; and

b. the construction of a single-family home that involves soil disturbances of one (1) or more acres but less than or equal to 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 D; and

c. construction on *agricultural property* that involves soil disturbances of one (1) or more acres but less than five (5) acres; and

d. *construction activities* located in the New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances of 5,000 square feet or more, but less than one acre.

2. The *qualified inspector* must conduct site inspections in accordance with the following timetable:

   a. For *construction sites* where soil disturbance activities are on-going, the *qualified inspector* must conduct a site inspection at least once every seven (7) calendar days; or

   b. For *construction sites* where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part I.E.6. to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days; or

   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* must conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas under the jurisdiction of a *Traditional Land Use Control MS4 Operator,* the *Traditional Land Use Control MS4 Operator* (provided the *Traditional Land Use Control MS4 Operator* is not the *owner or operator* of the *construction activity*) by hard copy or email prior to reducing the inspections to this frequency and again by hard copy or email prior to re-commencing construction; or

d. For *construction sites* where soil disturbance activities have been shut down with partial project completion, the requirement to have the *qualified inspector* conduct inspections ceases if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational. The *owner or operator* must notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix E) or, in areas subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1., the *Traditional Land Use Control MS4 Operator(s)* (provided the *Traditional Land Use Control MS4 Operator(s)* are not the *owners or operators* of the *construction activity*) in writing prior to the shutdown and again in writing prior to resuming *construction activity*. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* must terminate coverage by meeting the requirements of Part V; or

e. For *construction sites* involving soil disturbance of one (1) or more acres that *directly discharge* to one of the 303(d) segments listed in Appendix D or is located in one of the watersheds listed in Appendix C, the *qualified inspector* must conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections must be separated by a minimum of two (2) full calendar days.

3. At a minimum, the *qualified inspector* must inspect:

   a. all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness; and

   b. all SMPs under construction to ensure that they are constructed in conformance with the *SWPPP*; and

   c. all areas of disturbance that have not achieved *final stabilization*; and

   d. all points of *discharge* to *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site*; and

   e. all points of *discharge* from the *construction site*.

4. The *qualified inspector* must prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report must include and/or address all of the following, for all *construction activities* except those listed in Part IV.C.1.:

   a. Permit identification number; and

   b. Date and time of inspection; and

   c. Name and title of person(s) performing inspection; and

   d. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection, including the temperature at the time of the inspection; and

   e. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This must 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; and

   f. A description of the condition of all *surface waters of the State* located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This must include identification of any *discharges* of sediment to the *surface waters of the State*; and

   g. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance; and

   h. 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; and

   i. Description and sketch (map) 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; and

   j. Estimates, in square feet or acres, of the following areas:

i. Total area with active soil disturbance (not requiring either *temporary stabilization* or *final stabilization*); and

ii. Total area with inactive soil disturbance (requiring either *temporary stabilization* or *final stabilization*); and

iii. Total area that has achieved *temporary stabilization*; and

iv. Total area that has achieved *final stabilization*; and

k. Current stage of construction of all SMPs and identification of all *construction activity* on site that is not in conformance with the *SWPPP* and technical standards; and

l. 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 SMP(s); and

m. Identification and status of all corrective actions that were required by previous inspection; and

n. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* must attach 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* must 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* must 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* must notify the *owner or operator*, and appropriate contractor or subcontractor identified in Part III.A.7., of any corrective actions that need to be taken. The contractor or subcontractor must:

a. if the corrective action does not require engineering design:

i. begin implementing corrective actions within one business day; and

ii. complete the corrective actions within five business days; or

b. if the corrective action requires engineering design:

i. begin the engineering design process within five business days; and

ii. complete the corrective action in a reasonable time frame but no later than within 60 calendar days.

6. All inspection reports must be signed by the *qualified inspector.* In accordance with Part I.E.3., the inspection reports must be maintained on site with the *SWPPP*.

Part V. How to Terminate CGP Coverage

A. Electronic Notice of Termination (eNOT) Submittal

The eNOT contains questions to ensure requirements in Part V.A. have been met.

1. An *owner or operator* must terminate coverage when one or more of the following requirements have been met:

a. Total project completion:

i. all *construction activity* identified in the *SWPPP* has been completed; and

ii. all areas of disturbance have achieved *final stabilization*; and

iii. all temporary, structural erosion and sediment control measures have been removed; and

iv. all SMPs have been constructed in conformance with the *SWPPP* and are operational; and

v. an as-built drawing has been prepared; or

b. Planned shutdown with partial project completion:

   i. all soil disturbance activities have ceased; and

   ii. all areas disturbed as of the project shutdown date have achieved *final stabilization*; and

   iii. all temporary, structural erosion and sediment control measures have been removed; and

   iv. all SMPs required for the completed portion of the project have been constructed in conformance with the *SWPPP* and are operational; and

   v. an as-built drawing has been prepared; or

c. In accordance with Part I.G. Change of Owner or Operator; or

d. The *owner or operator* has obtained coverage under an alternative general SPDES permit or an individual SPDES permit.

2. For *construction activities* that require *qualified inspector* inspections in accordance with Part IV.C.1. and have met Part V.A.1.a. or b., the *owner or operator* must have the *qualified inspector* perform a final site inspection prior to submitting the eNOT. The *qualified inspector* must, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice(s)" certification statements on the eNOT, certify that all the requirements in Part V.A.1.a. or b. have been achieved.

3. For *construction activities* that are subject to the review authority of *Traditional Land Use Control MS4 Operator(s)* in accordance with Part I.D.2.b.ii.1. and meet Part V.A.1.a. or b., the *owner or operator* must have the *Traditional Land Use Control MS4 Operator(s)* sign the "MS4 Acceptance" statement on the eNOT in accordance with the requirements in Part VII.J. A *Traditional Land Use Control MS4 Operator* official, by signing this statement, determined that it is acceptable for the *owner or operator* to submit the eNOT in accordance with the requirements of this Part. A *Traditional Land Use Control MS4 Operator* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector*'s final site inspection certification(s) when required in Part V.A.2.

4. For *construction activities* that require SMPs and meet Part V.A.1.a. or b., the *owner or operator* must, prior to submitting the eNOT, ensure one of the following:

    a. for SMP(s) that were constructed by a private entity, but will be owned, operated, and maintained by a public entity, the SMP(s) and any right-of-way(s) needed to operate and maintain such practice(s) have been deeded to the municipality in which the practice(s) is located; or

    b. for SMP(s) that are privately owned, but will be operated and maintained by a public entity, an executed operation and maintenance agreement is in place with the municipality that will operate and maintain the SMP(s); or

    c. for SMP(s) 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; or

    d. for SMP(s) 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 policies and procedures in place that ensure operation and maintenance of the practices in accordance with the operation and maintenance plan.

5. An *owner or operator* that has met the requirements of Part V.A.1., 2., 3., and 4. must request termination of coverage under this permit by submitting a complete Notice of Termination form electronically using a NYSDEC approved form.[5]

    a. The owner's or operator's coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.

[5] Unless NYSDEC grants a waiver in accordance with 40 CFR 127.15(c) or (d). All waiver requests must be submitted to Stormwater_info@dec.ny.gov or NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505.

Part VI. Record Retention and Reporting

A. Record Retention

The *owner or operator* must retain a copy of the documents listed in Part I.E.3. and a copy of the LOT for a period of at least five years from the date that NYSDEC accepts a complete NOT submitted in accordance with Part V.

B. Reporting

Except for the eNOI, the signature forms associated with the eNOI, and the eNOT, all other written correspondence requested by NYSDEC, including individual permit applications, must be sent to the address of the appropriate DOW (SPDES) Program contact at the Regional Office listed in Appendix E.

Part VII. Standard Permit Requirements

For the purposes of this permit, examples of contractors and subcontractors include: third-party maintenance and construction contractors.

A. Duty to Comply

The *owner or operator*, and all contractors or subcontractors, must comply with all requirements of this permit. Any non-compliance with the requirements of this permit constitutes a violation of the New York State Environmental Conservation Law (ECL), and its implementing regulations, and is grounds for enforcement action. Filing of a request for termination of coverage under this permit, or a notification of planned changes or anticipated non-compliance, does not limit, diminish or stay compliance with any requirements of this permit.

B. Need to Halt or Reduce Activity Not a Defense

The necessity to halt or reduce the *construction activity* regulated by this permit, in order to maintain compliance with the requirements of this permit, must not be a defense in an enforcement action.

C. Penalties

There are substantial criminal, civil, and administrative penalties associated with violating the requirements of this permit. Fines of up to $37,500 per day for each

violation and imprisonment for up to 15 years may be assessed depending upon the nature and degree of the offense.

D. False Statements

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 monitoring reports or reports of compliance or noncompliance must, upon conviction, be punished in accordance with ECL §71-1933 and or New York State Penal Law Articles 175 and 210.

E. Re-Opener Clause

Upon issuance of this permit, a determination has been made on the basis of a submitted Notice of Intent, plans, or other available information, that compliance with the specified permit requirements will reasonably protect classified water use and assure compliance with applicable *water quality standards*. Satisfaction of the requirements of this permit notwithstanding, if operation pursuant to this permit causes or contributes to a condition in contravention of State *water quality standards* or guidance values, or if NYSDEC determines that a modification is necessary to prevent impairment of the best use of the waters or to assure maintenance of *water quality standards* or compliance with other provisions of ECL Article 17 or the Clean Water Act (CWA), or any regulations adopted pursuant thereto, NYSDEC may require such modification and the Commissioner may require abatement action to be taken by the *owner or operator* and may also prohibit such operation until the modification has been implemented.

F. Duty to Mitigate

The *owner or operator*, and its contractors and subcontractors, must 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.

G. Requiring Another General Permit or Individual SPDES Permit

NYSDEC may require any *owner or operator* authorized to *discharge* in accordance with this permit to apply for and obtain an individual SPDES permit or apply for authorization to *discharge* in accordance with another general SPDES permit.

1. Cases where an individual SPDES permit or authorization to discharge in accordance with another general SPDES permit may be required include, but is not limited to the following:

a. the *owner or operator* is not in compliance with the conditions of this permit or does not meet the requirements for coverage under this permit; and

b. a change has occurred in the availability of demonstrated technology or practices for the control or abatement of *pollutants* applicable to the *point source*; and

c. new effluent limitation guidelines or new source performance standards are promulgated that are applicable to *point sources* authorized to *discharge* in accordance with this permit; and

d. existing effluent limitation guidelines or new source performance standards that are applicable to *point sources* authorized to *discharge* in accordance with this permit are modified; and

e. a water quality management plan containing requirements applicable to such *point sources* is approved by NYSDEC; and

f. circumstances have changed since the time of the request to be covered so that the *owner or operator* is no longer appropriately controlled under this permit, or either a temporary or permanent reduction or elimination of the authorized *discharge* is necessary; and

g. the *discharge* is in violation of section 17-0501 of the ECL; and

h. the *discharge(s)* is a significant contributor of *pollutants*. In making this determination, NYSDEC may consider the following factors:

   i. the location of the *discharge(s)* with respect to *surface waters of the State*; and

   ii. the size of the *discharge(s)*; and

   iii. the quantity and nature of the *pollutants discharged* to *surface waters of the State*; and

   iv. other relevant factors including compliance with other provisions of ECL Article 17, or the CWA.

2. When NYSDEC requires any *owner or operator* authorized by this permit to apply for an individual SPDES permit as provided for in this subdivision, it must notify the *owner or operator* in writing that a permit application is required. This notice must include a brief statement of the reasons for this decision, an application

form, a statement setting a time for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from the *owner's or operator's* receipt of the notification letter, whereby the authorization to *discharge* under this permit must be terminated. NYSDEC may grant additional time upon demonstration, to the satisfaction of the RWE,[6] that additional time to apply for an alternative authorization is necessary or where NYSDEC has not provided a permit determination in accordance with 6 NYCRR Part 621.

3. When an individual SPDES permit is issued to an *owner or operator* authorized to *discharge* under this permit for the same *discharge(s)*, this permit authorization for *construction activities* authorized under the individual SPDES permit is automatically terminated on the effective date of the individual SPDES permit unless termination is earlier in accordance with 6 NYCRR Part 750.

H. Duty to Provide Information

The *owner or operator* must furnish to NYSDEC, within five business days, unless otherwise set forth by NYSDEC, any information that NYSDEC may request to determine whether cause exists to determine compliance with this permit or to determine whether cause exists for requiring an individual SPDES permit in accordance with 6 NYCRR 750-1.21(e) (see Part VII.G. Requiring Another General Permit or Individual Permit).

The *owner or operator* must make available to NYSDEC, for inspection and copying, or furnish to NYSDEC within 25 business days of receipt of a NYSDEC request for such information, any information retained in accordance with this permit.

Except for Part I.D.4. and 5. and Part I.G., the following applies: where the *owner or operator* becomes aware that it failed to submit any relevant facts on the Notice of Intent, or submitted incorrect information in a Notice of Intent or in any report to NYSDEC, the *owner or operator* must submit such facts or corrected information to NYSDEC within five business days.

I. Extension

In the event a new permit is not issued and effective prior to the expiration of this permit, and this permit is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, then the *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the requirements of this permit until a new permit is issued and effective.

[6] The Regional Water Manager where a DEC Region does not have a RWE.

J. Signatories and Certification

The Notice of Intent, Notice of Termination, and reports required by this permit must be signed as provided in 40 CFR §122.22.

1. All Notices of Intent and Notices of Termination must be signed as follows:

    a. For a corporation. 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 Notice of Intent or Notice of Termination requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

        Note: NYSDEC does not require specific assignments or delegations of authority to responsible corporate officers identified in 40 CFR §122.22(a)(1)(i). NYSDEC will presume that these responsible corporate officers have the requisite authority to sign the Notice of Intent or Notice of Termination unless the corporation has notified NYSDEC to the contrary. Corporate procedures governing authority to sign a Notice of Intent or Notice of Termination may provide for assignment or delegation to applicable corporate positions under 40 CFR §122.22(a)(1)(ii) rather than to specific individuals.

    b. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively.

c. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

    1. the chief executive officer of the agency; or

    2. 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. All reports required by this permit, and other information requested by NYSDEC, must be signed by a person described in Part VII.J.1., 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.J.1. or using the Duly Authorized Form, found on the DEC website; and

    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, 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 is submitted to NYSDEC.

3. Changes to authorization. If an authorization under Part VII.J.2. is no longer accurate because a different individual or position has responsibility for the overall operation of the *construction activity*, a new authorization satisfying the requirements of Part VII.J.2. must be submitted to NYSDEC prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under Part VII.J.1. or 2. must make the following certification:

    I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who

manage the system, or those persons directly responsible for gathering the information, 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.

5. Electronic reporting. If documents described in Part VII.J.1. or 2. are submitted electronically by or on behalf of the *construction activity* with coverage under this permit, any person providing the electronic signature for such documents must meet all relevant requirements of this section, and must ensure that all of the relevant requirements of 40 CFR Part 3 (including, in all cases, subpart D to Part 3) (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission.

K. Inspection and Entry

The *owner or operator* must allow NYSDEC, the USEPA Regional Administrator, the applicable county health department, or any authorized representatives of those entities, 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 requirements of this permit; and

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

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

4. sample or monitor at reasonable times, for the purposes of assuring general SPDES permit compliance or as otherwise authorized by the CWA or ECL, any substances or parameters at any location; and

5. enter upon the property of any contributor to the regulated facility or activity under authority of the *owner or operator*.

L. Confidentiality of Information

The following must not be held confidential: this permit, the fact sheet for this permit, the name and address of any *owner or operator*, effluent data, the Notice of Intent, and information regarding the need to obtain an individual permit or an alternative general SPDES permit. This includes information submitted on forms themselves and any attachments used to supply information required by the forms (except information submitted on usage of substances). Upon the request of the *owner or operator*, NYSDEC must make determinations of confidentiality in accordance with 6 NYCRR Part 616, except as set forth in the previous sentence. Any information accorded confidential status must be disclosed to the Regional Administrator upon his or her written request. Prior to disclosing such information to the Regional Administrator, NYSDEC will notify the Regional Administrator of the confidential status of such information.

M. Other Permits May Be Required

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

N. NYSDEC Orders or Civil Decrees/Judgments

The issuance of this permit by the NYSDEC, and the coverage under this permit by the *owner or operator*, does not supersede, revoke, or rescind any existing order on consent or civil Decree/Judgment, or modification to any such documents or to any order issued by the Commissioner, or any of the terms, conditions, or requirements contained in such order or modification therefore, unless expressly noted.

O. Property Rights

Coverage under this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining the assent of any other jurisdiction as required by law for the *discharge* authorized.

P. Compliance with Interstate Standards

If the *construction activity* covered by this permit originates within the jurisdiction of an interstate water pollution control agency, then the *construction activity* must also comply with any applicable effluent standards or *water quality standards* promulgated by that interstate agency and as set forth in this permit for such *construction activities*.

Q. Oil and Hazardous Substance Liability

Coverage under this permit does not affect the imposition of responsibilities upon, or the institution of any legal action against, the *owner or operator* under section 311 of the CWA, which must be in conformance with regulations promulgated pursuant to section 311 governing the applicability of section 311 of the CWA to *discharges* from facilities with *NPDES* permits, nor must such issuance preclude the institution of any legal action or relieve the *owner or operator* from any responsibilities, liabilities, or penalties to which the *owner or operator* is or may be subject pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq. (CERCLA).

R. 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, must not be affected thereby.

S. NYSDEC Approved Forms

The *owner or operator* must provide all relevant information that is requested by NYSDEC, and required by this permit, on all NYSDEC approved forms.

APPENDIX A – Abbreviations and Definitions

Abbreviations

APO – Agency Preservation Officer
BB – New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), dated November 2016
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)
DM – New York State Stormwater Management Design Manual (Design Manual), dated July 31, 2024
DOW – Division of Water
EAF – Environmental Assessment Form
ECL – chapter 43-B of the Consolidated Laws of the State of New York, entitled the 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
NYC – The City of New York
NYCDEP – The City of New York Department of Environmental Protection
NYSDEC – The New York State Department of Environmental Conservation
OPRHP – Office of Parks, Recreation and Historic Places
Qf – Extreme Flood
Qp – Overbank Flood
RR – Runoff Reduction
RRv – Runoff Reduction Volume
RWE – Regional Water Engineer
SEQR – State Environmental Quality Review Act
SHPA – State Historic Preservation Act
SMP – Post-Construction Stormwater Management Practice
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. If a word is not italicized in the permit, use its common definition.

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 – the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023).

Alter Hydrology from Pre- to Post-Development Conditions – 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 System – a sewer system which conveys sewage and *stormwater* through a single pipe system to a publicly owned treatment works.

Commence (Commencement of) Construction Activities – 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.

Common Plan of Development or Sale – a contiguous area where multiple separate and distinct *construction activities* are occurring, or may occur, under one plan. The "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 (SEQR) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating *construction activities* may occur on a specific plot. A *common plan of development or sale* is comprised of two or more *phases*.

Common plan of development or sale does not include separate and distinct *construction activities* that are occurring, or may occur, under one plan that are at least 1/4 mile apart provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

Construction Activity(ies) – identified within 40 CFR 122.26(b)(14)(x), 122.26(b)(15)(i), and 122.26(b)(15)(ii), any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, mechanized 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, which is excluded from the calculation of the soil disturbance for a project. Routine maintenance includes, but is not limited to:

- Re-grading of gravel roads or parking lots; and
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of the ditch; and
- Replacement of existing culverts that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity of a ditch; and
- Replacement of existing bridges that maintains the approximate original line and grade, and maintains or improves the hydraulic capacity beneath the bridges; and
- 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); and
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*; and
- 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; and
- Long-term use of equipment storage areas at or near highway maintenance facilities; and
- 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*; and
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts; and
- Maintenance of ski trails including brush hog use and mowing; and
- Above ground snowmaking pipe replacement; and
- Replacement of existing utility poles; etc.

Construction Site – the land area where *construction activity(ies)* will occur. See also the definitions for "*Commence (Commencement of) Construction Activities"* and "*Common Plan of Development or Sale."*

Dewatering – the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

Directly Discharge(s)(ing) (to a specific surface waterbody) – 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)(d) – any addition of any *pollutant* to waters of the State through an outlet or *point source*.

Embankment – an earthen or rock slope that supports a road/highway.

Equivalent (Equivalence) – 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 – 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.

Historic Property – 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) – all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and compacted gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

Infeasible – not technologically possible, or not economically practicable and achievable considering best industry practices.

Minimize(ing)(ation) – 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 System (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):

1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, *stormwater*, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that *discharges* to *surface waters of the State*; and

2. designed or used for collecting or conveying *stormwater*; and

3. which is not a *combined sewer system*; and

4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

Natural Buffer(s) – an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

New Development – 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.

Nonpoint Source(s) – 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 – flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator – 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 requirements.

Performance Criteria – the six performance criteria for each group of SMPs in Chapters 5 and 6 of the technical standard, New York State Stormwater Management Design Manual (DM), dated July 31, 2024. These include feasibility, conveyance, pretreatment, treatment, landscaping, and maintenance. It does not include the *Sizing Criteria* (i.e. WQv, RRv, CPv, Qp and Qf) in Part I.C.2. of the permit.

Phase – a defined area in which *construction activities* are occurring or will occur separate from other defined area(s).

Point Source – 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(s) – 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 – 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 NYSDEC 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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 SMPs that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional – 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 NYSDEC endorsed individual(s). Individuals preparing *SWPPPs* that require the SMP 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) – 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.).

Renewable Energy – electricity or thermal energy generated by renewable energy systems through use of the following technologies: solar thermal, photovoltaics, on land and offshore wind, hydroelectric, geothermal electric, geothermal ground source heat, tidal energy, wave energy, ocean thermal, and fuel cells which do not utilize a fossil fuel resource in the process of generating electricity.

Site Limitations – 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 – the criteria included in Part I.C.2 of the permit that are used to size SMPs. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank* Flood (Qp), and Extreme Flood (Qf).

Steep Slope – land area designated on the current United States Department of Agriculture (USDA) Soil Survey as Soil Slope Phase D, (provided the map unit name or description 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.

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

Streambank – 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) – 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 SMPs); and identifies procedures the *owner or operator* will implement to comply with the requirements 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 – an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization – 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 Load (TMDL) – 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 and still meet *water quality standards*, and an allocation of that amount to the *pollutant's* sources. A TMDL stipulates Waste Load Allocations (WLA) for *point source discharges*, Load Allocations (LA) for *nonpoint source*s, and a margin of safety (MOS).

Traditional Land Use Control MS4 Operator – 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).

Trained Contractor – an employee from the contracting (construction) company, identified in Part III.A.7., that has received four (4) hours of NYSDEC endorsed training

in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC 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.7., 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 NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity).

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

Tree Clearing – *construction activities* limited to felling and removal of trees.

Tree clearing does not include hand felling and leaving the trees in place with no support from mechanized equipment, which is not considered *construction activity* requiring coverage under this permit.

Water Quality Standard – 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 and not *directly discharging* to one of the 303(d) segments listed in Appendix D
- 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 D
- Construction of a barn or other *agricultural building*, silo, stock yard or pen.
- Structural agricultural conservation practices as identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023) that include construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.

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 New York City Watershed located east of the Hudson River, see Appendix C Figure 1, that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Within the municipal boundaries of NYC:

- Stand-alone road reconstruction, where the total soil disturbance from only that road construction, is less than one (1) acre of land.

The following *construction activities*:

- 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, *stormwater* retrofits, stream restoration, and resiliency projects that reconstruct shoreline areas to address sea level rise
- Pond construction
- Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an *impervious cover*
- Cross-country ski trails, walking/hiking trails, and mountain biking trails, including a de minimis parking lot (maximum 10 spaces total, sized for passenger cars) with 35 feet minimum preservation of undisturbed area downgradient from the parking lot
- Dam rehabilitation (the structure of the dam itself)
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are not part of residential, commercial, or institutional development;
- Sidewalks, bike paths, or walking paths, 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.

Table 1 (Continued)
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following *construction activities*:

- Slope stabilization
- Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics
- Spoil areas that will be covered with vegetation
- Vegetated open space (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) that do not *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 where vegetation will be established, and no *redevelopment activity* is planned[1]
- Installation or replacement of either an overhead electric transmission line or a ski lift tower that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*.
- Solar array field areas that have tables elevated off the ground, spaced one table width apart, do not *alter hydrology from pre- to post-development conditions*, and address water quality volume and runoff reduction volume by maintaining sheet flow on slopes less than 8%.
- Structural agricultural conservation practices as identified in Table II in the "Agricultural Best Management Practice Systems Catalogue" (dated June 2023) that do not include construction or reconstruction of *impervious area* and do not *alter hydrology from pre- to post-development* conditions.
- 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 (in this context, "temporary" means the *impervious area* will be in place for two years or less)
- Other *construction activities* that do not include the construction or reconstruction of *impervious area*, and do not *alter hydrology from pre- to post-development* conditions, and are not listed in Table 2.

1. If the site is redeveloped in the future, a new eNOI must be submitted.

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

The following *construction activities*:

- 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 D
- 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 D
- 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 between 20,000 square feet and one (1) acre of land within the municipal boundaries of NYC 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 *common plan of development or sale* that will ultimately disturb five (5) or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Creation of 5,000 square feet or more of *impervious area* in the municipal boundaries of NYC
- 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) that involves soil disturbance greater than five acres.
- Structural agricultural conservation practices as identified in Table II in the “Agricultural Best Management Practice Systems Catalogue” (dated June 2023) that involves soil disturbance greater than five acres and include the construction or reconstruction of *impervious area* or *alter hydrology from pre- to post-development* conditions.
- Facility buildings, including ski lodges, restroom buildings, pumphouses, ski lift terminals, and maintenance and groomer garages
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills; including creation of landfills or capping landfills.
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs, water treatment plants, and water storage tanks
- Golf courses
- Office complexes

Table 2 (Continued)

CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A *SWPPP* THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES (SMPS)

The following *construction activities*:

- Permanent laydown yards and equipment storage lots
- Playgrounds that include the construction or reconstruction of *impervious area*
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surfaces
- Road construction or reconstruction, outside the municipal boundaries of NYC
- Road construction within the municipal boundaries of NYC
- Stand-alone road reconstruction, within the municipal boundaries of NYC where the total soil disturbance from that road reconstruction involves soil disturbance of one (1) acre or more of land
- Parking lot construction or reconstruction (as with all Table 2 bullets, this includes parking lots constructed as part of the *construction activities* listed in Table 1, unless a Table 1 bullet specifies otherwise)
- 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 overhead electric transmission line, wind-power, cell tower, oil or gas well drilling, sewer or water main, ski lift, or other linear utility project
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of a residential, commercial or institutional development
- Sidewalks, bike paths, or walking paths, surfaced with an *impervious cover*, that are part of highway construction or reconstruction
- Solar array field areas on slopes greater than 8% that cannot maintain sheet flow using management practices identified in the BB or the DM
- Solar array field areas on slopes less than 8% that will *alter the hydrology from pre- to post-development* conditions
- Solar array field areas with tables that are not elevated high enough to achieve *final stabilization* beneath the tables
- Traditional *impervious areas* associated with solar development (e.g. roads, buildings, transformers)
- Utility pads surfaced with *impervious cover*, including electric vehicle charging stations
- 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 SMPs designed in conformance with the Enhanced Phosphorus Removal Standards included in the DM technical standard.

- 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

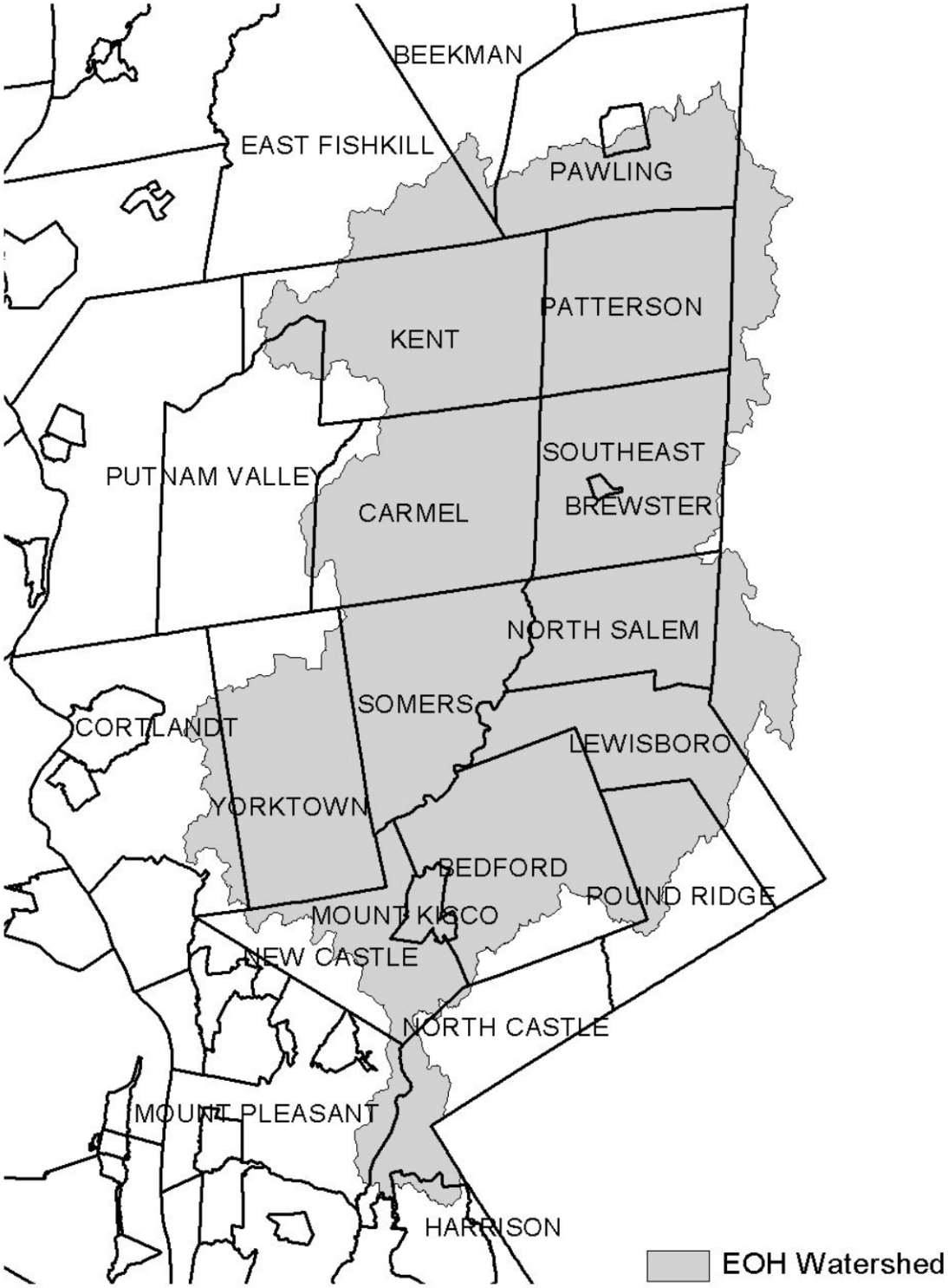


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

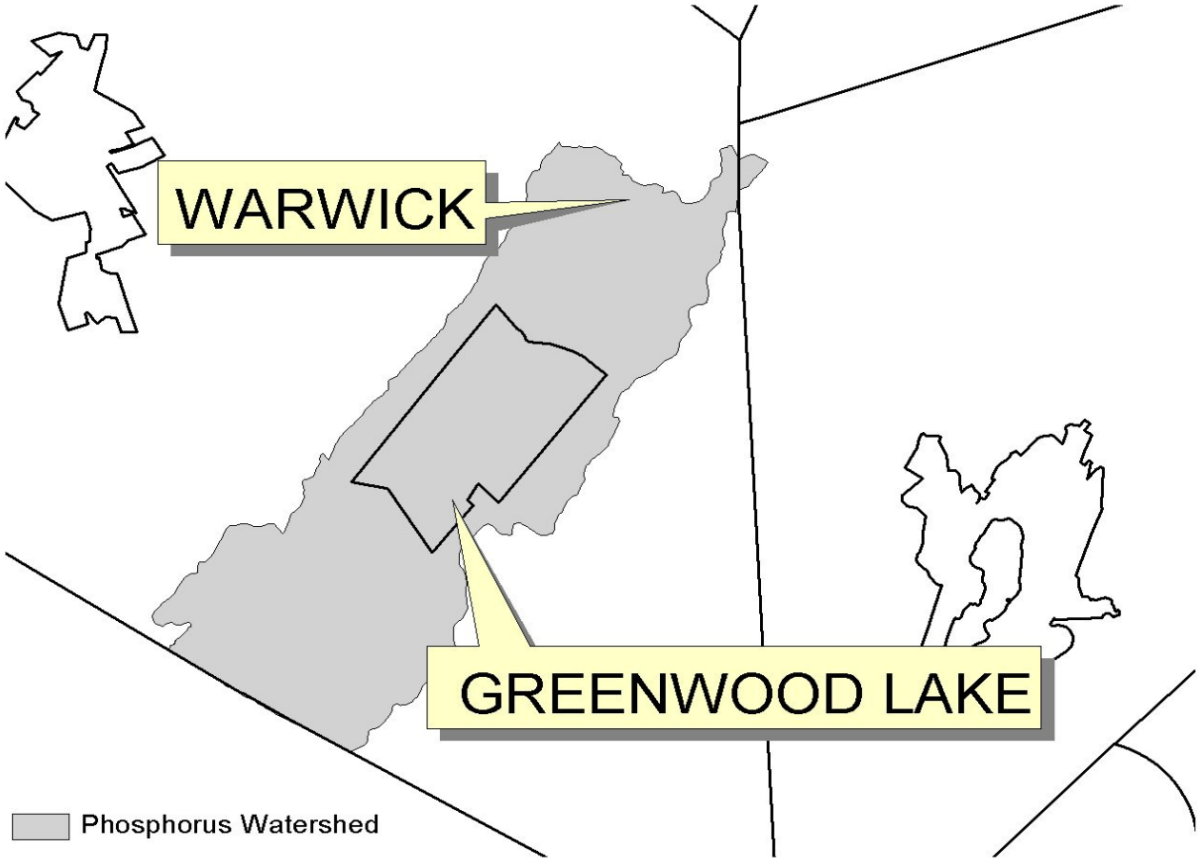


Figure 4 - Oscawana Lake Watershed

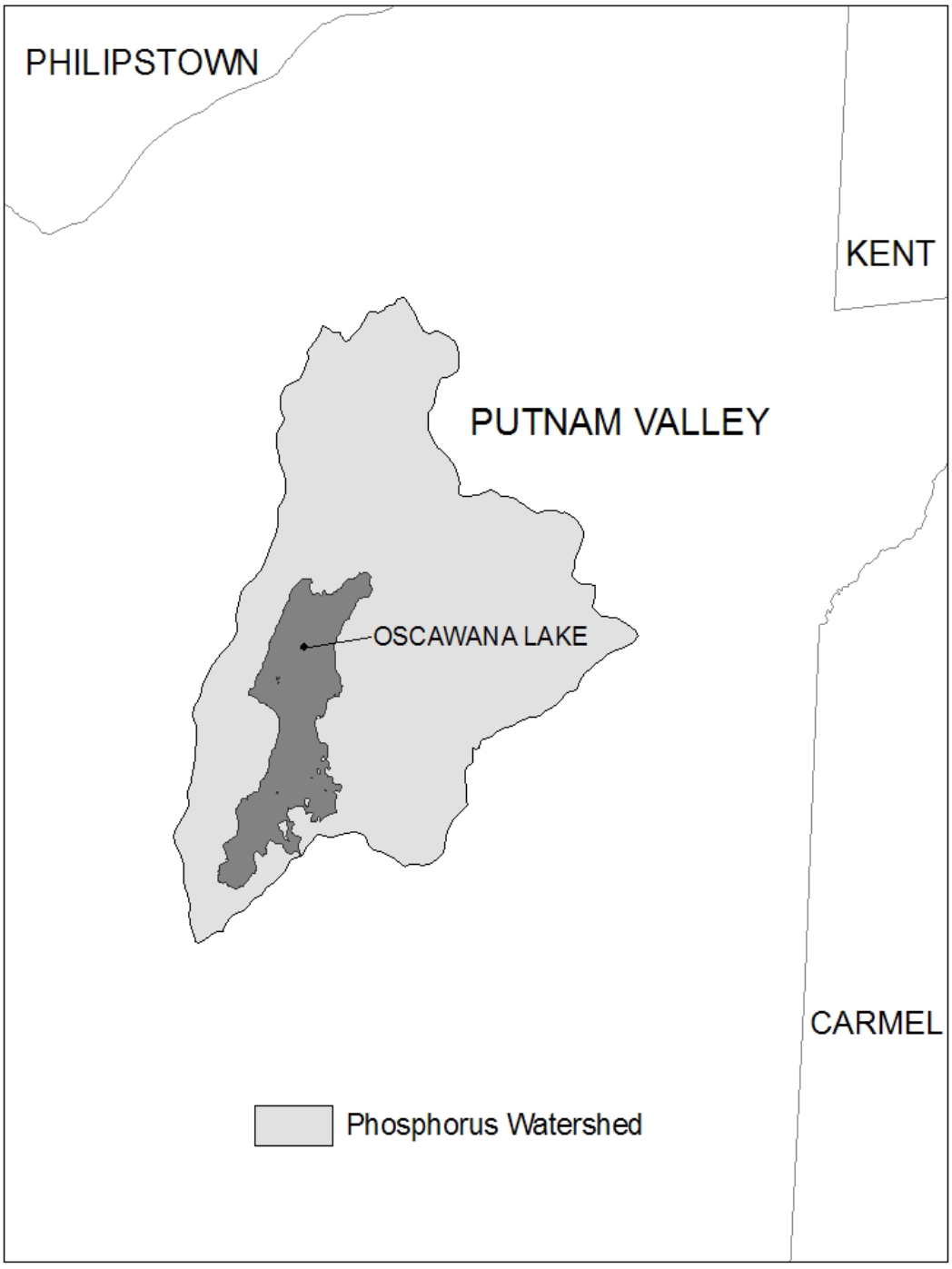
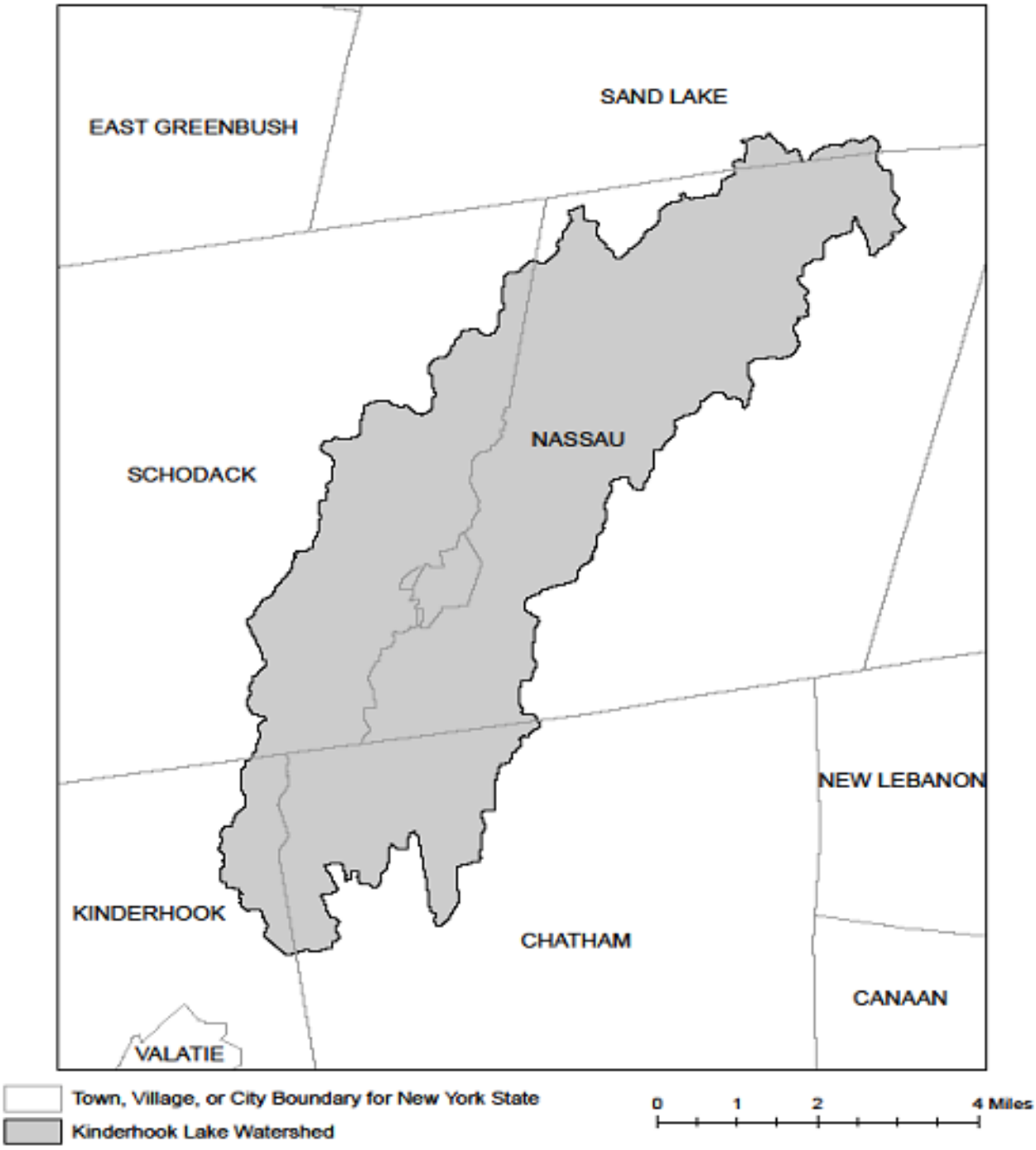


Figure 5 - Kinderhook Lake Watershed



APPENDIX D – Impaired Waterbodies (by Construction Related Pollutants)

List of waterbodies impaired by *pollutants* related to *construction activity*, including turbidity, silt/sediment, and nutrients (e.g. nitrogen, phosphorus). This list is a subset of "The Final New York State 2018 Section 303(d) List of Impaired Waters Requiring a TMDL" dated June 2020.

County	Waterbody	Pollutant
Albany	Ann Lee (Shakers) Pond, Stump Pond (1201-0096)	Phosphorus
Albany	Lawsons Lake (1301-0235)	Phosphorus
Allegany	Amity Lake, Saunders Pond (0403-0054)	Phosphorus
Allegany	Andover Pond (0403-0056)	Phosphorus
Bronx	Reservoir No.1/Lake Isle (1702-0075)	Phosphorus
Bronx	Van Cortlandt Lake (1702-0008)	Phosphorus
Broome	Blueberry, Laurel Lakes (1404-0033)	Phosphorus
Broome	Fly Pond, Deer Lake (1404-0038)	Phosphorus
Broome	Minor Tribs to Lower Susquehanna (0603-0044)	Phosphorus
Broome	Whitney Point Lake/Reservoir (0602-0004)	Phosphorus
Cattaraugus	Allegheny River/Reservoir (0201-0023)	Phosphorus
Cattaraugus	Beaver Lake/Alma Pond (0201-0073)	Phosphorus
Cattaraugus	Case Lake (0201-0020)	Phosphorus
Cattaraugus	Linlyco/Club Pond (0201-0035)	Phosphorus
Cayuga	Duck Lake (0704-0025)	Phosphorus
Cayuga	Owasco Inlet, Upper, and tribs (0706-0014)	Nutrients
Chautauqua	Chadakoin River and tribs (0202-0018)	Phosphorus
Chautauqua	Hulburt/Clymer Pond (0202-0079)	Phosphorus
Chautauqua	Middle Cassadaga Lake (0202-0002)	Phosphorus
Clinton	Great Chazy River, Lower, Main Stem (1002-0001)	Silt/Sediment
Columbia	Robinson Pond (1308-0003)	Phosphorus
Cortland	Dean Pond (0602-0077)	Phosphorus
Dutchess	Fallkill Creek (1301-0087)	Phosphorus
Dutchess	Hillside Lake (1304-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Phosphorus
Dutchess	Wappingers Lake (1305-0001)	Silt/Sediment
Erie	Beeman Creek and tribs (0102-0030)	Phosphorus
Erie	Delaware Park Pond (0101-0026)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Phosphorus
Erie	Ellicott Creek, Lower, and tribs (0102-0018)	Silt/Sediment
Erie	Green Lake (0101-0038)	Phosphorus
Erie	Little Sister Creek, Lower, and tribs (0104-0045)	Phosphorus
Erie	Murder Creek, Lower, and tribs (0102-0031)	Phosphorus

Erie	Rush Creek and tribs (0104-0018)	Phosphorus
Erie	Scajaquada Creek, Lower, and tribs (0101-0023)	Phosphorus
Erie	Scajaquada Creek, Middle, and tribs (0101-0033)	Phosphorus
Erie	Scajaquada Creek, Upper, and tribs (0101-0034)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs (0101-0036)	Silt/Sediment
Genesee	Bigelow Creek and tribs (0402-0016)	Phosphorus
Genesee	Black Creek, Middle, and minor tribs (0402 0028)	Phosphorus
Genesee	Black Creek, Upper, and minor tribs (0402-0048)	Phosphorus
Genesee	Bowen Brook and tribs (0102-0036)	Phosphorus
Genesee	LeRoy Reservoir (0402-0003)	Phosphorus
Genesee	Mill Pond (0402-0050)	Phosphorus
Genesee	Oak Orchard Cr, Upper, and tribs (0301-0014)	Phosphorus
Genesee	Oatka Creek, Middle, and minor tribs (0402-0031)	Phosphorus
Genessee	Tonawanda Cr, Middle, Main Stem (0102-0002)	Phosphorus
Greene	Schoharie Reservoir (1202-0012)	Silt/Sediment
Greene	Sleepy Hollow Lake (1301-0059)	Silt/Sediment
Herkimer	Steele Creek tribs (1201-0197)	Phosphorus
Herkimer	Steele Creek tribs (1201-0197)	Silt/Sediment
Kings	Hendrix Creek (1701-0006) 18	Nitrogen
Kings	Prospect Park Lake (1701-0196)	Phosphorus
Lewis	Mill Creek/South Branch, and tribs (0801-0200)	Nutrients
Livingston	Christie Creek and tribs (0402-0060)	Phosphorus
Livingston	Conesus Lake (0402-0004)	Phosphorus
Livingston	Mill Creek and minor tribs (0404-0011)	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs (0402-0033)	Phosphorus
Monroe	Buck Pond (0301-0017)	Phosphorus
Monroe	Cranberry Pond (0301-0016)	Phosphorus
Monroe	Durand, Eastman Lakes (0302-0037)	Phosphorus
Monroe	Lake Ontario Shoreline, Western (0301-0069) 9	Phosphorus
Monroe	Long Pond (0301-0015)	Phosphorus
Monroe	Mill Creek and tribs (0302-0025)	Phosphorus 2
Monroe	Mill Creek/Blue Pond Outlet and tribs (0402-0049)	Phosphorus
Monroe	Minor Tribs to Irondequoit Bay (0302-0038)	Phosphorus
Monroe	Rochester Embayment - East (0302-0002) [9]	Phosphorus
Monroe	Rochester Embayment - West (0301-0068) 9	Phosphorus
Monroe	Shipbuilders Creek and tribs (0302-0026)	Phosphorus 2
Monroe	Thomas Creek/White Brook and tribs (0302-0023)	Phosphorus

Nassau	Bannister Creek/Bay (1701-0380)	Nitrogen
Nassau	Beaver Lake (1702-0152)	Phosphorus
Nassau	Browswere Bay (1701-0383)	Nitrogen
Nassau	Camaans Pond (1701-0052)	Phosphorus
Nassau	East Meadow Brook, Upper, and tribs (1701-0211)	Silt/Sediment
Nassau	East Rockaway Channel (1701-0381)	Nitrogen
Nassau	Glen Cove Creek, Lower, and tribs (1702-0146)	Silt/Sediment
Nassau	Grant Park Pond (1701-0054)	Phosphorus
Nassau	Hempstead Bay, Broad Channel (1701-0032)	Nitrogen
Nassau	Hempstead Lake (1701-0015)	Phosphorus
Nassau	Hewlett Bay (1701-0382)	Nitrogen
Nassau	Hog Island Channel (1701-0220)	Nitrogen
Nassau	Massapequa Creek, Upper, and tribs (1701-0174)	Phosphorus
Nassau	Milburn/Parsonage Creeks, Upp, and tribs (1701-0212)	Phosphorus
Nassau	Reynolds Channel, East (1701-0215) [12]	Nitrogen
Nassau	Reynolds Channel, West (1701-0216) 12	Nitrogen
Nassau	Tidal Tribs to Hempstead Bay (1701-0218)	Nitrogen
Nassau	Tribs (fresh) to East Bay (1701-0204)	Silt/Sediment
Nassau	Tribs (fresh) to East Bay (1701-0204)	Phosphorus
Nassau	Tribs to Smith Pond/Halls Pond (1701-0221)	Phosphorus
Nassau	Woodmere Channel (1701-0219)	Nitrogen
New York	Harlem Meer (1702-0103)	Phosphorus
New York	The Lake in Central Park (1702-0105)	Phosphorus
Niagara	Bergholtz Creek and tribs (0101-0004)	Phosphorus
Niagara	Hyde Park Lake (0101-0030)	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0053) 9	Phosphorus
Niagara	Lake Ontario Shoreline, Western (0301-0072) 9	Phosphorus
Oneida	Ballou, Nail Creeks (1201-0203)	Phosphorus
Onondaga	Ley Creek and tribs (0702-0001) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nutrients (phosphorus)
Onondaga	Minor Tribs to Onondaga Lake (0702-0022) 10	Nitrogen (NH3, NO2)
Onondaga	Onondaga Creek, Lower (0702-0023) 10	Nutrients (phosphorus)
Onondaga	Onondaga Creek, Lower, and tribs (0702-0023)	Turbidity
Onondaga	Onondaga Creek, Middle, and tribs (0702-0004)	Turbidity
Onondaga	Onondaga Creek, Upper, and tribs (0702-0024)	Turbidity
Ontario	Great Brook and minor tribs (0704-0034)	Phosphorus 2
Ontario	Great Brook and minor tribs (0704-0034)	Silt/Sediment

Ontario	Hemlock Lake Outlet and minor tribs (0402-0013)	Phosphorus
Ontario	Honeoye Lake (0402-0032)	Phosphorus
Orange	Brown Pond Reservoir (1303-0013)	Phosphorus
Orange	Lake Washington (1303-0012)	Phosphorus
Orange	Minor Tribs to Middle Wallkill (1306-0061)	Phosphorus
Orange	Monhagen Brook and tribs (1306-0074)	Phosphorus
Orange	Orange Lake (1301-0008) [16]	Phosphorus
Orange	Quaker Creek and tribs (1306-0025)	Phosphorus
Orange	Wallkill River, Middle, Main Stem (1306-0038)	Phosphorus
Orange	Wallkill River, Upper, and Minor tribs (1306-0017)	Phosphorus
Orleans	Glenvwood Lake (0301-0041)	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0070) 9	Phosphorus
Orleans	Lake Ontario Shoreline, Western (0301-0071) 9	Phosphorus
Oswego	Lake Neatahwanta (0701-0018)	Nutrients (phosphorus)
Oswego	Pleasant Lake (0703-0047)	Phosphorus
Putnam	Lost Lake, Putnam Lake (1302-0053)	Phosphorus
Putnam	Minor Tribs to Croton Falls Reservoir (1302-0001)	Phosphorus
Queens	Bergen Basin (1701-0009) 18	Nitrogen
Queens	Jamaica Bay, Eastern, and tribs, Queens (1701-0005) 18	Nitrogen
Queens	Kissena Lake (1702-0258)	Phosphorus
Queens	Meadow Lake (1702-0030)	Phosphorus
Queens	Shellbank Basin (1701-0001) 18	Nitrogen
Queens	Willow Lake (1702-0031)	Phosphorus
Rensselaer	Nassau Lake (1310-0001)	Phosphorus
Rensselaer	Snyders Lake (1301-0043)	Phosphorus
Richmond	Grassmere Lake/Bradys Pond (1701-0357)	Phosphorus
Rockland	Congers Lake, Swartout Lake (1501-0019)	Phosphorus
Rockland	Rockland Lake (1501-0021)	Phosphorus
Saratoga	Ballston Lake (1101-0036)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Phosphorus
Saratoga	Dwaas Kill and tribs (1101-0007)	Silt/Sediment
Saratoga	Lake Lonely (1101-0034)	Phosphorus
Saratoga	Round Lake (1101-0060)	Phosphorus
Saratoga	Tribs to Lake Lonely (1101-0001)	Phosphorus
Schenectady	Collins Lake (1201-0077)	Phosphorus
Schenectady	Duane Lake (1311-0006)	Phosphorus
Schenectady Lake	Mariaville Lake (1201-0113)	Phosphorus
Schuyler	Cayuta Lake (0603-0005)	Phosphorus

Seneca	Reeder Creek and tribs (0705-0074)	Phosphorus
St.Lawrence	Black Lake Outlet, Black Lake (0906-0001)	Phosphorus
St.Lawrence	Fish Creek and minor tribs (0906-0026)	Phosphorus
Steuben	Smith Pond (0502-0012)	Phosphorus
Suffolk	Agawam Lake (1701-0117)	Phosphorus
Suffolk	Big/Little Fresh Ponds (1701-0125)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Phosphorus
Suffolk	Canaan Lake (1701-0018)	Silt/Sediment
Suffolk	Fresh Pond (1701-0241)	Phosphorus
Suffolk	Great South Bay, East (1701-0039)	Nitrogen
Suffolk	Great South Bay, Middle (1701-0040)	Nitrogen
Suffolk	Great South Bay, West (1701-0173)	Nitrogen
Suffolk	Lake Ronkonkoma (1701-0020)	Phosphorus
Suffolk	Mattituck/Marratooka Pond (1701-0129)	Phosphorus
Suffolk	Mill and Seven Ponds (1701-0113)	Phosphorus
Suffolk	Millers Pond (1702-0013)	Phosphorus
Suffolk	Moriches Bay, East (1701-0305)	Nitrogen
Suffolk	Moriches Bay, West (1701-0038)	Nitrogen
Suffolk	Quantuck Bay (1701-0042)	Nitrogen
Suffolk	Shinnecock Bay and Inlet (1701-0033)	Nitrogen
Suffolk	Tidal Tribs to West Moriches Bay (1701-0312)	Nitrogen
Sullivan	Bodine, Mongomery Lakes (1401-0091)	Phosphorus
Sullivan	Davies Lake (1402-0047)	Phosphorus
Sullivan	Evens Lake (1402-0004)	Phosphorus
Sullivan	Pleasure Lake (1402-0055)	Phosphorus
Sullivan	Swan Lake (1401-0063)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Phosphorus
Tompkins	Cayuga Lake, Southern End (0705-0040)	Silt/Sediment
Ulster	Ashokan Reservoir (1307-0004)	Silt/Sediment
Ulster	Esopus Creek, Lower, Main Stem (1307-0010) [17]	Turbidity
Ulster	Esopus Creek, Middle, Main Stem (1307-0003) 17	Turbidity
Ulster	Esopus Creek, Upper, and minor tribs (1307-0007)[3]	Silt/Sediment
Ulster	Wallkill River, Lower, Main Stem (1306-0027)	Phosphorus
Warren	Hague Brook and tribs (1006-0006)	Silt/Sediment
Warren	Huddle/Finkle Brooks and tribs (1006-0003)	Silt/Sediment
Warren	Indian Brook and tribs (1006-0002)	Silt/Sediment
Warren	Lake George (1006-0016) and tribs	Silt/Sediment
Warren	Tribs to Lake George, East Shore (1006-0020)	Silt/Sediment
Warren	Tribs to Lake George, Lk.George Village (1006-0008)	Silt/Sediment

Washington	Wood Cr/Champlain Canal and tribs (1005-0036)	Phosphorus
Westchester	Lake Katonah (1302-0136)	Phosphorus
Westchester	Lake Lincolndale (1302-0089)	Phosphorus
Westchester	Lake Meahagh (1301-0053)	Phosphorus
Westchester	Lake Mohegan (1301-0149)	Phosphorus
Westchester	Lake Shenorock (1302-0083)	Phosphorus
Westchester	Mamaroneck River, Lower (1702-0071)	Silt/Sediment
Westchester	Mamaroneck River, Upp, & minor tribs (1702-0123)	Silt/Sediment
Westchester	Saw Mill River (1301-0007)	Phosphorus
Westchester	Saw Mill River, Middle, and tribs (1301-0100)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Phosphorus
Westchester	Sheldrake River (1702-0069)	Silt/Sedimnt
Westchester	Silver Lake (1702-0040)	Phosphorus
Westchester	Teatown Lake (1302-0150)	Phosphorus
Westchester	Truesdale Lake (1302-0054)	Phosphorus
Westchester	Wallace Pond (1301-0140)	Phosphorus

APPENDIX E – List of NYSDEC 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	220 White Plains Road, Suite 110 Tel. (914) 428 - 2505
4	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady and Schoharie	1130 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	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 TEL. (315) 426-7438	5786 WIDEWATERS PARKWAY SYRACUSE, NY 13214-1867 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	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7165	700 DELAWARE AVENUE BUFFALO, NY 14209-2999 TEL. (716) 851-7070

APPENDIX F – SWPPP Preparer Certification Form

The SWPPP Preparer Certification Form required by this permit begins on the following page.

SWPPP Preparer Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

Project/Site Name:

eNOI Submission ID:

Owner/Operator Name:

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) has been prepared in accordance with the requirements of GP-0-25-001. I certify under penalty of law that the SWPPP and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, 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.

SWPPP Preparer First Name | MI | SWPPP Preparer Last Name

Signature | Date

APPENDIX G – MS4 SWPPP Acceptance Form

The MS4 SWPPP Acceptance Form required by this permit begins on the following page.

MS4 SWPPP Acceptance Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information
1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:
II. Project Site Information
5. Project/Site Name:
6. Street Address:
7. City/State/Zip:
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:
IV. Regulated MS4 Information
11. Name of MS4 Operator:
12. MS4 SPDES Permit Identification Number: NYR20A
13. Street Address:
14. City/State/Zip:
15. Telephone Number:

MS4 SWPPP Acceptance Form - continued

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in section II. of this form has been reviewed and meets the substantive requirements in the SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP). Note: The MS4 Operator, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 Operator does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name[1]:

Title/Position:

Signature:

Date:

VI. Additional Information

[1] Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.

APPENDIX H – NYCDEP SWPPP Acceptance/Approval Form

The City of New York Department of Environmental Protection (NYCDEP) SWPPP Acceptance/Approval form required by this permit begins on the following page.

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Planning and Analysis
59-17 Junction Blvd., 9th Floor; Flushing, NY 11373

SWPPP Acceptance/Approval

Application Number:

I. Project Owner/Operator Information

1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:

II. Project Site Information

5. Project/Site Name:
6. Street Address:
7. City/State/Zip:

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

8. SWPPP Reviewed by:
9. Title/Position: /
10. Date Final SWPPP Reviewed and Accepted:
11. Acceptance/Approval Expiration Date:

IV. Regulated MS4 Information for projects that require coverage under the NY State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity

12. Name of MS4: *CITY OF NEW YORK*
13. MS4 SPDES Permit Identification Number: *NY-0287890*
14. Contact Person:
15. Street Address: *59-17 Junction Blvd. 9th Floor*
16. City/State/Zip: *Flushing, NY 11373*
17. Telephone Number:

Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Conditions of Acceptance/Approval and Additional Information

Projects in the MS4 area must submit a copy of this SWPPP Acceptance with a Notice of Intent for coverage under the NY SPDES General Permit for Stormwater Discharges from Construction Activity to: NYS Department of Environmental Conservation, Division of Water; 625 Broadway, 4th Floor; Albany, New York 12233-3505.

APPENDIX I – MS4 No Jurisdiction Form

The MS4 No Jurisdiction Form required by this permit begins on the following page.

MS4 No Jurisdiction Form

for construction activities seeking authorization under the

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b., the completed form must be attached to the eNOI and submitted to NYSDEC electronically.)

I. Project Owner/Operator Information

a. Owner/Operator Name:

b. Contact Person:

c. Street Address:

d. City/State/Zip:

II. Project Site Information

a. Project/Site Name:

b. Street Address:

c. City/State/Zip:

d. eNOI Submission ID:

III. Traditional Land Use Control MS4 Operator Information

a. Name of MS4 Operator:

b. MS4 SPDES Permit ID Number: NYR20A

c. Street Address:

d. City/State/Zip:

e. Telephone Number:

IV. Certification Statement

In accordance with CGP Part I.D.2.b.ii.3., I hereby certify that the Traditional Land Use Control MS4 Operator identified in section III. of this form does not have review authority over the construction project identified in section II. of this form, which is owned/operated by the entity identified in section I. of this form. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

a. Printed name of the principal executive officer or ranking elected official for the MS4 Operator or their duly authorized representative in accordance with CGP Part VII.J.2.:

b. Title/Position:

c. Signature:

d. Date:

APPENDIX J – Owner/Operator Certification Form

The Owner/Operator Certification Form required by this permit begins on the following page.

Owner/Operator Certification Form

SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001 (CGP)

(In accordance with CGP Part I.D.2.b. or Part I.F.2. and 3., the completed form must be attached to the eNOI or the Request to Continue Coverage, and submitted to NYSDEC electronically.

Project/Site Name: _____

eNOI Submission ID: _____

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

Certification Statement - Owner/Operator

I hereby certify that I read, and will comply with, the GP-0-25-001 permit requirements. I understand that authorization to discharge under the permit for the project/site named above is dependent on receipt of a Letter of Authorization (LOA) or a Letter of Continued Coverage (LOCC) from the New York State Department of Environmental Conservation (NYSDEC) in accordance with CGP Part I.D.3.b. or Part I.F.4. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Owner/Operator First Name MI Owner/Operator Last Name

_____

Signature

_____

Date

Revised: January 2025

Appendix N
Post-Construction Maintenance Requirements

nationalgrid

May 2025

Post-Construction Operations and Maintenance Manual (O&M Manual) for Stormwater Management Facilities for ***NATIONAL GRID NG LOCKPORT BATAVIA #112 ARTICLE VII***

Towns of Lockport, Royalton, and Alabama / Niagara and Genesee Counties

Prepared for:

National Grid
300 Erie Boulevard West
Syracuse, NY 13202

Prepared by:

Fisher Associates, P.E., L.S., L.A., D.P.C.
55 Chicago Street Suite 200
Buffalo, NY 14202

POST-CONSTRUCTION OPERATIONS
AND MAINTENANCE MANUAL
(O&M MANUAL)
FOR STORMWATER MANAGEMENT FACILITIES
FOR
NIAGARA MOHAWK POWER CORPORATION (D/B/A NATIONAL GRID)
LOCKPORT BATAVIA #112 ARTICLE VII

Table of Contents

Appendices

1.0 INTRODUCTION

This Manual describes operation and maintenance procedures that are recommended to be employed to maximize the useful life and design intent of various systems and designated areas at the National Grid Lockport Batavia #112 Article VII (the Project), located in the City of Lockport and Towns of Lockport, Royalton, and Alabama, Niagara and Genesee Counties, New York. The Owner (National Grid) will be responsible for maintenance of the substation and surrounding facilities.

2.0 STORMWATER MANAGEMENT SYSTEM

This section identifies the parts or components of the stormwater management system that need to be maintained on a regular basis to allow proper functioning of each stormwater management practice, including non-structural practices.

2.1 Stormwater Management System Description

The stormwater management system for the Project consists of vegetated buffers to slow runoff and treat sheet flow from the access road.

3.0 MAINTENANCE AND INSPECTION SCHEDULE

Stormwater management systems need to undergo regular inspection and maintenance to function properly and to maintain design capacity. Maintenance needs may include: removal of silt, litter and other debris from all storm pipes and open channel swales; grass cutting and vegetation removal; and replacement of vegetative cover.

A Maintenance Inspection Form (Form) should be completed to document inspection and maintenance performed at the Project (refer to Appendix A1). This Form provides a summary of the inspection requirements for each stormwater facility component, a frequency of inspection, and a description of the anticipated routine maintenance that is required. A new Form should be filled out during each inspection. Observations made during the inspection should be written in the “Inspection Comments” field. If it is determined that maintenance is required, a description of the maintenance needed and the date by which the maintenance conducted shall be written in the “Maintenance Comments” field. The date that the maintenance activity was performed or completed should be noted in the forms. Copies of completed Forms should be maintained in Appendix A1 of this document.

The following sections outline the procedures and schedule to be followed to perform routine inspection and maintenance activities. In general, the frequency of inspection of each stormwater facility component should be at least once a year.

3.1 Culvert

There are sixty-seven culverts on the site that will convey flow underneath the proposed access roads. The culvert pipes should be visually inspected for debris, floatables, scour, erosion, and pipe condition. Debris and floatables should be removed as needed and disposed of properly. If the culvert pipe is observed to be in poor condition, repairs should be made as needed. Poor condition may include denting or other noticeable structural deficiencies. If there are any concerns related to flooding and erosion, appropriate action is required to mitigate the issue. To ensure no deficiencies to culvert condition or operation, routine maintenance and inspection should occur regularly.

3.1.1 *End Sections*

End Sections are found at the end of pipes and they typically include rock protection, such as riprap stone outlet protection. The purpose of riprap aprons placed at the end of pipes is to reduce the velocity, depth and energy of water, such that the flow will not erode downstream areas.

The end section(s) of pipes, including stone aprons, should be visually inspected for trash, sediment and dislodged stones at least once a year. If trash is observed, it should be removed and disposed of properly. If excessive sediment deposition is observed on the stone apron, measures should be taken to remove the sediment. Excessive sedimentation occurs when the stones on the bottom of the apron are no longer visible due to sediment deposition. It is recommended that accumulated sediments be removed with a hand shovel and disposed of off-site at an approved or otherwise authorized solid waste disposal facility. Any repair due to dislodged stones should be made immediately.

3.2 Vegetated Buffer

A filter strip is a vegetated surface which is designed to treat and infiltrate low velocity flow from the access road or flow spreader. A natural buffer is an undisturbed area, having a vegetated surface. Filter strips/natural buffers are located along the front of the substation.

Observe areas for bare spots, washouts, and healthy growth. Apply topsoil, seed, and mulch to areas, as necessary. Water as required to reestablish the vegetated surface as quick as possible. In highly erodible areas, install sod, mesh or filter fabric until re-establishment is achieved.

4.0 CONTACT INFORMATION

Questions about the stormwater management system should be directed to Mary Bitka at National Grid, 716-831-7206 or mary.bitka@nationalgrid.com.

Appendix A1
Maintenance Inspection Form

Date of Inspection:

Inspector:

Project Name: National Grid Lockport Batavia #112 Article VII

Location: Lockport, Royalton, and Alabama, Niagara and Genesee Counties, NY

MAINTENANCE INSPECTION FORM

Stormwater Facility Component	Inspection Requirement	Frequency of Inspection	O&M Manual Section No.	Inspection Comments	Maintenance Required	Maintenance Needed? (Y/N)	Maintenance Comments / Date of Maintenance
Culvert	Visual inspection for debris, sediment build-up, scour, erosion, and pipe condition	Annual	NA		Remove debris, sediment, as necessary. Review pipe condition, and complete repair as necessary.		
Rip Rap Outlet Protection	Visual Inspection of Rock Aprons for Trash and Sediment.	Annual	3.1.1		Remove Trash and Sediment as Needed.		
Vegetated Filter Strip	Note Percent of Sediment Built-Up	Annual	3.2		Remove When Sediment Fills 50% Volume.		
	Visual Inspection for Gullying, Animal Burrows and Undercutting of Banks	Annual	3.2		Re-seed and/or Stabilize Areas Where Rills/Gullies May have Formed.		
	Note Percent of Vegetative Cover	Annual	3.2		Apply Topsoil, Seed, and Mulch to areas as Needed.		

Appendix O
Stormwater Management Report

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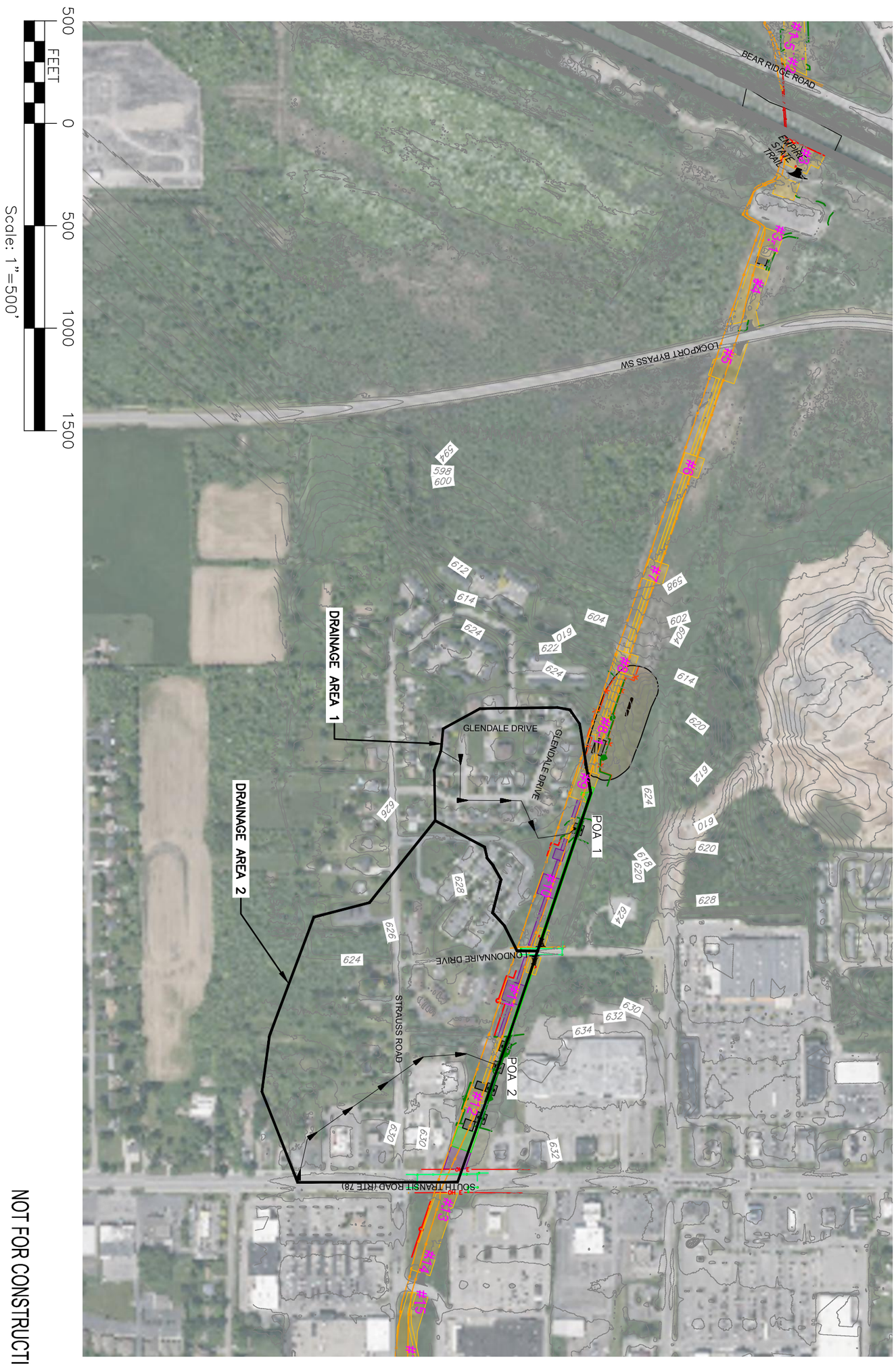
USER: David Jimenez



NOT FOR CONSTRUCTION

SW-1
DRAWING NO.
SHEET 1 OF 7

PROJECT
LOCKPORT BATAVIA
NEW YORK
PCSM
TOWN OF LOCKPORT

TITLE OF DRAWING
PCSM DRAINAGE AREA MAP

FA PROJECT NO. 190176
ISSUE DATE 2025
PROJECT MANAGER T. LIBERTY
DRAWN BY D. JIMENEZ
DRAWING CHK R.WIGHTMAN
SCALE AS SHOWN
ENGINEER R.WIGHTMAN

FISHER ASSOCIATES
WWW.FISHERASSOC.COM

FILE NAME: H:\Projects\190176-00-NG_Batavia_Art_7\Eng\CAD\CUT\Drainage Area Sheets\PCSM Drainage Maps.dwg
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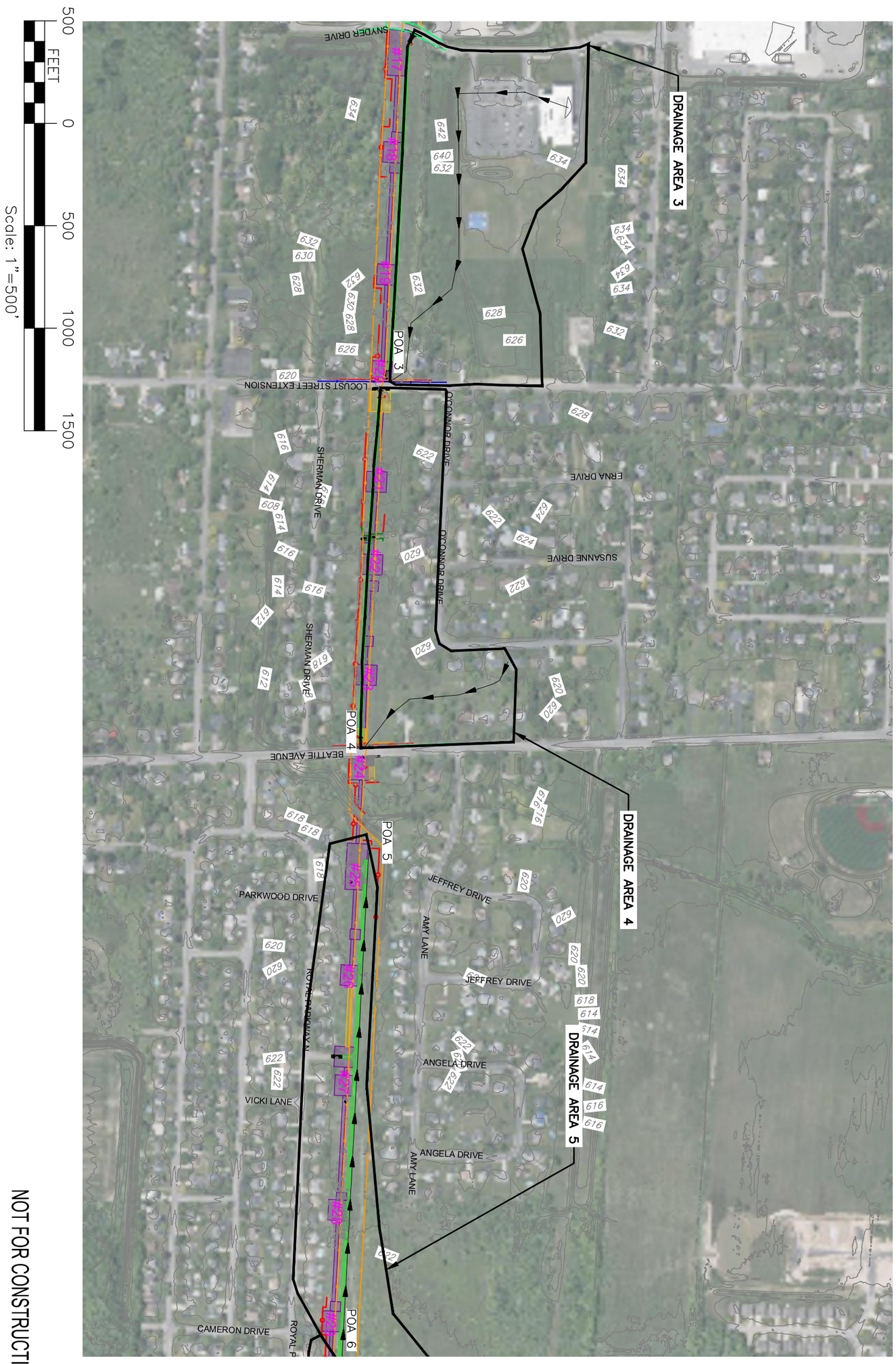

NOT FOR CONSTRUCTION

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SHEET 2 OF 7

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LOCKPORT BATAVIA
NEW YORK
PCSM
TOWN OF LOCKPORT

TITLE OF DRAWING
PCSM DRAINAGE AREA MAP

FA PROJECT NO. 190176
ISSUE DATE 2025
PROJECT MANAGER T. LIBERTY
DRAWN BY D. JIMENEZ
DRAWING CHK R.WIGHTMAN
SCALE AS SHOWN
ENGINEER R.WIGHTMAN

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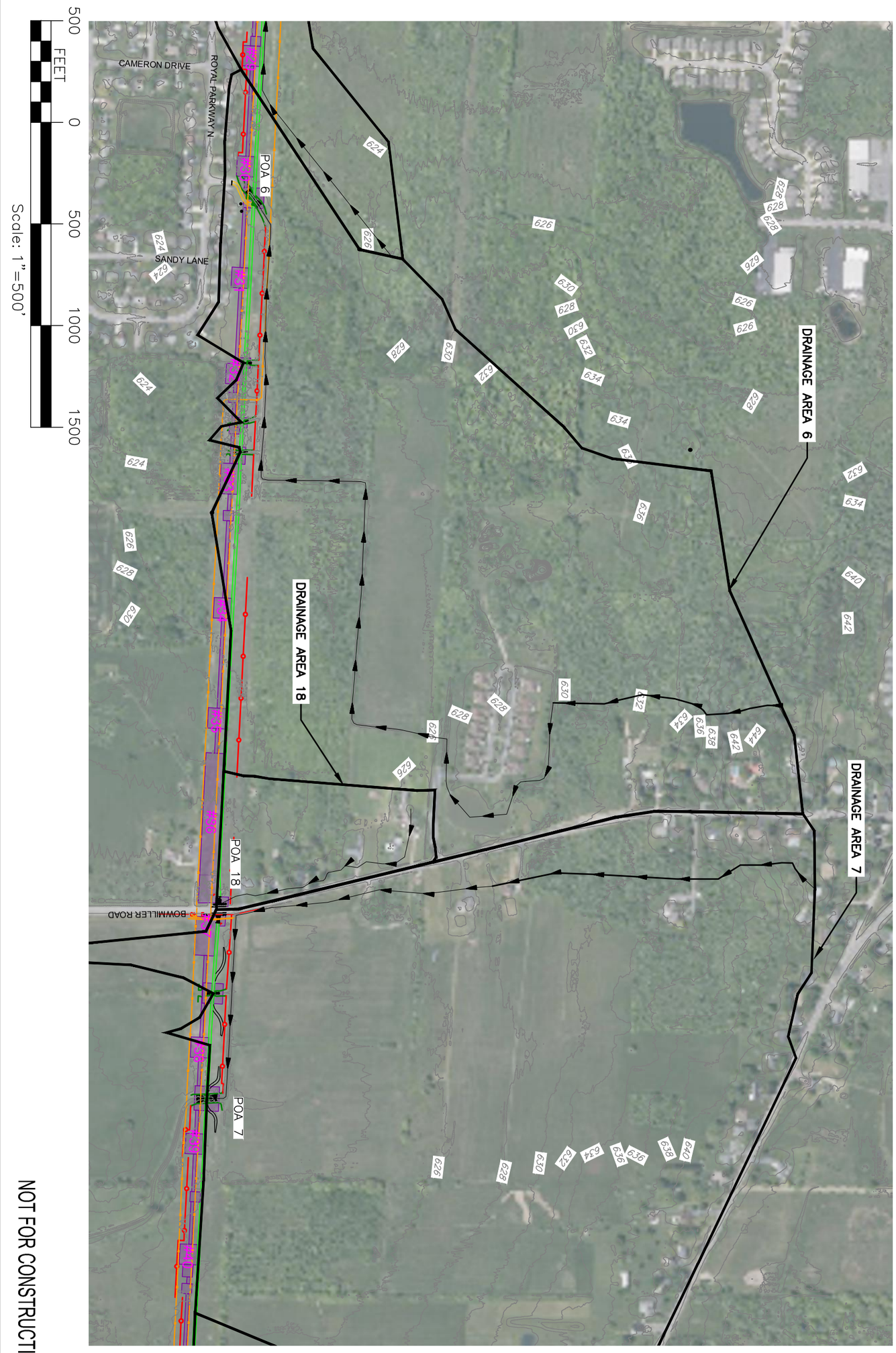

NOT FOR CONSTRUCTION

SW-3
DRAWING NO.
SHEET 3 OF 7

PROJECT
LOCKPORT BATAVIA
NEW YORK
PCSM
TOWN OF LOCKPORT

TITLE OF DRAWING
PCSM DRAINAGE AREA MAP

FA PROJECT NO. 190176
ISSUE DATE 2025
PROJECT MANAGER T. LIBERTY
DRAWN BY D. JIMENEZ
DRAWING CHK R.WIGHTMAN
SCALE AS SHOWN
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