nationalgrid

STORMWATER POLLUTION PREVENTION PLAN

FOR COMPLIANCE WITH

NYSDEC
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITY

GENERAL PERMIT NUMBER

GP-0-10-001

Location

Spier Falls-Rotterdam New 115kV Transmission Project
Phase II

Towns of Moreau and Corinth
Saratoga County

Owner

Niagara Mohawk Power Corporation
(d/b/a National Grid)
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April 13, 2012

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ATTACHMENTS

1.0 Introduction

Niagara Mohawk Power Corporation, doing business as National Grid (hereinafter National Grid), has prepared this Stormwater Pollution Prevention Plan (SWPPP) in compliance with the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, Permit Number: GP-0-10-001 ("GP") for Phase II of the new 115 kV transmission line from Spier Falls to Rotterdam, New York ("the Project").

The Project consists of the following components:

1. construction and operation of one new 115 kV single circuit (proposed New Line 302) from the Spier Falls Substation to Ballston Tap - 21.7 circuit miles to be located within the existing Spier Falls-Rotterdam 115 kV Line 1 and 2 right-of-way (ROW);

2. construction and operation of one new 115 kV single circuit (proposed New Line 1) from the Rotterdam Substation to Ballston Tap - 10.8 circuit miles to be located within the existing Spier Falls-Rotterdam 115 kV Line 1 and 2 ROW;

3. busing together the existing Spier Falls to Rotterdam 115 kV Lines 1 and 2 to operate as a single circuit (proposed Bused Line 2); and

4. rebuilding and reconductoring the existing 115 kV Ballston Tap Line 2 (proposed Rebuilt Line 1) from the existing Ballston Tap to the Ballston Substation - 4.2 circuit miles within the existing 115 kV Ballston Tap Line 1 and 2 ROW.

National Grid developed a SWPPP for Phase I of the Project in July 2011 and obtained coverage under the GP for Phase I Project components (Permit Identification No. NYR 10U600). Phase I includes construction of structures 17-20 and 22-179 of New Line 302,

construction of New Line 1, busing together the existing Lines 1 and 2 in the Phase I Project area, and rebuilding and reconductoring of Ballston Tap Line 2.

This Phase II SWPPP has been prepared for construction within the first 1.3 miles of the Project ROW (Structures 1-16 of New Line 302) and the area around Structure 21 of New Line 302. The Phase II area of the Project is located in the Towns of Moreau and Corinth. The work in Phase II will include installation of Structures #1-16 and #21, replacement of existing structures T-13 and T-14, relocation of existing 34.5kV lines, a permanent compacted crushed aggregate access road, temporary access roads for the 34.5kV relocation work, and busing together the existing Lines 1 and 2 in the Phase II Project area.

This SWPPP was prepared for Phase II of the Project as part of the requirements for coverage under the New York State Department of Environmental Conservation (NYSDEC) SPDES GP. For construction projects, the implementation of the GP requires that Owners/Operators of all common plans of development that disturb more than 1-acre will gain coverage under the GP by filing a Notice of Intent (NOI) form with the NYSDEC, and by developing and complying with a SWPPP specifically developed for the proposed site. A NOI will be submitted to NYSDEC, Albany Main Office, in accordance with the requirements of the GP. The NOI will indicate that the project will disturb more than five (5) acres of soil at a given time. Because of this, written authorization from the NYSDEC will be required.

This project is subject to Article VII of the NYS Public Service Law, as Case No. 10-T-0080, and has been issued a Certificate of Environmental Compatibility and Public Need (CEC&PN) by the Public Service Commission (PSC), issued February 17, 2011. This SWPPP acts as Phase II of the Environmental Management & Construction Plan (EM&CP) for the Project. The EM&CP includes: the designation of appropriate work zones; the development of maintenance of traffic plans; the layout of access road locations; the identification of tree and brush clearing and disposal sites; and locating structure foundations, structure assembly sites, and conductor pulling sites. Advance planning of the Project will assure that: safe traffic conditions on public roads are

maintained; tree removal and brush clearing is properly conducted through site specific tree marking, selective clearing, and disposal procedures; work in wetlands and other sensitive environmental resources is conducted with Best Management Practices (BMPs) and in accordance with the SWPPP; equipment operation and construction activities are limited to designated areas; appropriate erosion and sediment control measures are applied; and post-construction stormwater quality and quantity controls are implemented for areas with the creation of permanent impervious areas such as access roads.

Personnel responsible for implementation of the SWPPP are identified in **Attachment A**.

The Contractor shall comply with the requirements of this SWPPP and shall perform their operations in strict conformance with the GP. All permit conditions and requirements in this plan have been derived from the text of the GP. A full version of the GP can be found in **Attachment B**.

National Grid will be considered the Owner/Operator of the Project and will submit a completed NOI to the NYSDEC for Phase II of the Project in conjunction with the completion of this SWPPP. Any contractor hired by National Grid or its project-specific General Contractor to perform earth-disturbing activities (e.g., clearing, grading, excavating), will be required to sign a certification stating his project responsibilities and acknowledging his understanding and commitment to perform operations in conformance with all technical and relevant requirements of the GP and included herein.

The purpose of stormwater management is to prevent erosion both on the construction site itself and on adjacent undisturbed areas, and to prevent sedimentation of natural watercourses and vegetated areas. This is generally accomplished through both stabilization and structural control practices. Stormwater management also addresses pollution prevention using measures to reduce pollutants in stormwater as well as using good housekeeping practices on the construction site. Documented inspections of the Phase II Project area will occur on a pre-determined schedule, in conformance with the requirements of the GP and in conjunction with environmental monitoring associated

with implementation of the project's EM&CP, until the Phase II Project site is stabilized in accordance with the GP (see **Attachment C** for a sample inspection form).

The purpose of the SWPPP is to establish requirements and instructions for the management of construction-related stormwater discharges. BMPs are one of the major issues addressed by the SWPPP and they will be incorporated in order to mitigate for potential pollutants, sediments, and stormwater peak flows, and to dissipate stormwater velocities.

This SWPPP meets the following three major objectives of the GP:

1. Identify all potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from the construction site;
2. Describe practices to be used to reduce pollutants in stormwater discharges from the construction site; and,
3. Assure compliance with the terms and conditions of the GP.

This SWPPP describes baseline requirements necessary for proper stormwater management during and after construction. If unanticipated site conditions warrant additional methods of control, the Contractor, in consultation with the Project's Environmental Monitor, will be required to implement those measures in accordance with the *New York Standards and Specifications for Erosion and Sediment Control* and in accordance with the PSC-approved EM&CP.

A copy of the GP, NOI, NOI Acknowledgement Letter, this SWPPP, and inspection reports must be maintained at the Project site during construction until all disturbed areas have achieved final stabilization and a Notice of Termination (NOT) has been submitted to the NYSDEC. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

Upon completion of the construction activities and final stabilization of the Phase II Project area (i.e., with 80% of the native background vegetation cover and/or completed as designed with no erosion or sediment control issues), the Owner, with the assistance of the Environmental Monitor, shall complete and submit a Notice of Termination (NOT) to the NYSDEC.

If the Owner or Operator transfers Phase II of the Project to another firm prior to the completion of Phase II, the new Owner or Operator will need to file a new NOI. Once the new Owner or Operator obtains coverage under the permit, the original Owner or Operator will be required to file a NOT.

1.1 Executive Summary

Project Name

Spier Falls-Rotterdam New 115kV Transmission Project – Phase II

Project Overview

The following overview provides a summary of the general project information.

Project Features:	(1) construction of proposed Structures #1-16 and #21 of New Line 302 (2) relocation of existing 34.5kV sub-transmission lines (3) construction of permanent and temporary access roads (4) busing together of existing Lines 1 and 2
Estimated Disturbed Area:	10.3 acres soil disturbance 12 acres tree clearing without grubbing
Existing Surface Conditions:	Herbicide-sprayed roadside/pathway and forests

Final Area:	Herbicide-sprayed roadside/pathway
Stockpile Locations:	Stockpile locations are indicated on the drawings in **Appendix C**.
Construction Sequence:	• Stake and flag construction limits (i.e., right-of-way, off right-of-way access roads, and extra work areas); • Mark-out utilities; • Install erosion and sediment control measures; • Conduct work zone pruning and clearing; • Road/access construction; • Structure removal and excavation and setting of new and relocated structures; • Above-ground structure component fabrication and installation (cross arms, insulators, and other hardware); • Conductor pulling (overhead circuits); • Restoration of structure sites and temporary access In addition to this SWPPP, a comprehensive Project EM&CP has been developed. This SWPPP serves as the Phase II EM&CP.
Erosion and Sediment	Refer to drawings in **Appendix C**
Marshalling Yard/Laydown	Refer to drawings in **Appendix C**
On-site storage:	Equipment (excavator, backhoe, tracked ATV, etc.) and materials (conductors, building materials, wire, etc.). Materials are to be stockpiled in approved locations. Storage areas for equipment and stockpiled soils will be surrounded by silt fencing to provide erosion and sediment control.

2.0 Construction Contact List

An emergency contact list has been prepared and is provided in **Attachment A, Table A-1**. The emergency contact list includes contact information for the local fire departments, police departments, and medical emergency providers. In addition, Statewide NYSDEC contact information is provided in the event that an environmental violation or chemical spill needs to be reported.

The construction site personnel contact list for this project is provided in **Attachment A, Table A-2**. These personnel have day-to-day operational control of stipulated activities to ensure compliance with the SWPPP and Permit Conditions. The duties of these personnel include one or more of the following:

- Implement the SWPPP;
- Oversee maintenance practices identified as BMPs in the SWPPP;
- Conduct or provide for inspection and monitoring activities;
- Identify other (unanticipated) potential erosion, sediment and pollutant sources during construction and ensure they are appropriately addressed;
- Identify any amendments to the SWPPP necessitated by field conditions and ensure they are implemented; and,
- Document all activities associated with implementation of this SWPPP and supporting documents.

3.0 Project Description

Project Overview

The Project consists of the following components:

1. construction and operation of one new 115 kV single circuit (proposed New Line 302) from the Spier Falls Substation to Ballston Tap - 21.7 circuit miles to be located within the existing Spier Falls-Rotterdam 115 kV Line 1 and 2 ROW;

2. construction and operation of one new 115 kV single circuit (proposed New Line 1) from the Rotterdam Substation to Ballston Tap - 10.8 circuit miles to be located within the existing Spier Falls-Rotterdam 115 kV Line 1 and 2 ROW;

3. busing together the existing Spier Falls to Rotterdam 115 kV Lines 1 and 2 to operate as a single circuit (proposed Bused Line 2); and

4. rebuilding and reconductoring the existing 115 kV Ballston Tap Line 2 (proposed Rebuilt Line 1) from the existing Ballston Tap to the Ballston Substation - 4.2 circuit miles within the existing 115 kV Ballston Tap Line 1 and 2 ROW.

Additionally, the Project will require nominal modifications on two substation properties. None of the work at the substations will involve expansion of existing substation fence lines or the creation of additional impervious surfaces.

The Project will require an easement on a 20 (or 25) foot wide corridor adjacent to the ROW, delineated on the Plan and Profile drawings in the Project's EM&CP as the "additional vegetation management easement area boundary line." This easement will encompass (a) permanent vegetation management rights, (b) temporary rights for all construction-related activities, (c) permanent rights for operation and maintenance of the Project during and after construction, and (d) permanent rights for environmental mitigation and protection.

The purpose of the Project is to relieve the thermal and projected load constraints in the Northeast Region. This Project is the most immediate of a number of planned reinforcements that will address the current and long-range needs of the Northeast Region. Failure to complete the Project can expose the existing Lines 1 and 2 to postcontingency thermal overloads, which could physically damage these facilities, and cause interruption of electric service to tens of thousands of customers in the Northeast Region.

Phase II of the Project

Phase II of the Project includes construction within the first 1.3 miles of the Project ROW (Structures #1-16 of New Line 302) and the area around Structure #21 of New Line 302.

The Phase II area of the Project is located in the Towns of Moreau and Corinth. The work in Phase II will include installation of Structures #1-16 and #21, replacement of existing structures T-13 and T-14, relocation of existing 34.5kV lines, permanent compacted crushed aggregate access roads, temporary access roads for the 34.5kV relocation work, and busing together the existing Lines 1 and 2 in the Phase II Project area.

34.5kV Relocation

The first stage of the Phase II work will involve relocation of the existing 34.5kV lines approximately 40 feet to the southeast, within the existing ROW. For this work, a combination of permanent and temporary access roads will be constructed. Following completion of the relocation work, the temporary roads will be removed and regraded to the original grades. The disturbed areas will be stabilized, vegetated, and restored to a natural condition.

Structures #1-15, T-13, and T-14

After the 34.5kV lines have been relocated, the new 115 kV transmission line will be constructed. For this work, new permanent access roads will be constructed to provide access to the new Structures #1-15 and existing structures T-13 and T-14. The new access roads will be constructed as extensions of existing dirt/gravel roads off Spier Falls Road. These permanent access roads will be approximately 15 feet wide and will be composed of 8 inches of crushed aggregate. On slopes of 8% or steeper, the road bed will be stabilized with a Geoweb® cellular confinement system. The proposed access roads will be built over existing access roads wherever feasible. Areas of the existing roadway where it cannot be reused will be restored and returned to a natural condition. Permanent stormwater management controls have been designed for the permanent roadways (see Section 9.0).

Structure #16

Access to new Structure #16 will be via a matted access road on an adjacent landowner's (Jeannie C. and Gary W. Carter's) driveway.

Structure #21

Access to new Structure #21 will be along a landowners' (Gary N. Lillibridge and Bonnie Clark's) existing driveway, continuing past the barn along the landowners' existing logging road and up to the top of the hill on Gary Lillibridge's property, and then re-entering the National Grid fee-owned ROW. An existing compacted earth road will be improved with 8 inches of crushed stone to provide access for construction vehicles. As the road reaches the top of the hill, a cut will be made into the hill to grade a road into the new structure location. The work pad for structure installation will be graded to provide a safe work area. Some cut and fill and some cut and store for restoration will be required. National Grid is proposing to clear an area for temporary storage of material along the proposed access road.

After tower construction is complete, the stored material will be used to restore the construction work area to the extent practical. The area will be re-vegetated by seeding and mulch and/or erosion control blankets.

The access road surface will be restored by using a bucket to loosen and mix the top 12-18 inches of the road surface and to blend in loam. The surface will then be seeded and mulched for stabilization and establishment of vegetation. The area will be permeable, not compacted, when finished and will allow National Grid future access to the site for maintenance activities. The existing driveway will be restored to pre-construction condition or better and restoration may include re-surfacing the driveway with crushed stone.

Supplemental Right-of-Way Information

No new ROW expansion will be necessary within Moreau Lake State Park. A 20-foot wide easement will be required on the Carter property near Structure #16 and on the Lillibridge property near Structure #21. National Grid has obtained a 20-foot wide easement and temporary access rights from Carter. National Grid is in the process of negotiating rights with Lillibridge.

3.1 Site Location

Phase II of the Project is located in the Towns of Moreau and Corinth in Saratoga County, and within NYSDEC Region 5 jurisdiction. The right-of-way between the Spier Falls Substation and just west of proposed Structure #15 is located adjacent to Moreau Lake State Park, a 4,100 acre forested area adjacent to the Hudson River and Moreau Lake. Refer to Figure 1 in Attachment D.

3.2 Water Resources

Waterbodies

Surface waterbodies and streams in the Phase II Project ROW were investigated using the NYSDEC and USGS/GIS data, and confirmed during field surveys. There are no significant waterbodies (i.e., lakes or reservoirs) located within the Project ROW. Rivers and perennial streams that traverse the Project ROW and are designated by the NYSDEC are shown on USGS Quadrangle map in Figure 1 in **Attachment D**. Streams located along the Phase II Project ROW and their associated NYSDEC water quality classifications are labeled on the drawings in **Appendix B** and are summarized in Table 3-1 below.

Wetlands

Wetlands within the Project ROW were delineated in 2010 by TRC Environmental Corporation ("TRC"). No wetlands are located within the Phase II Project area.

TMDLs

There are no Section 303(d) "impaired water bodies" crossed by the Project ROWs (NYSDEC, 2010).

Watersheds

The Phase II Project ROW is located in the Hudson-Hoosic Watershed (HUC ID# 02020003).

Table 3-1
Streams Crossed by the Phase II Project ROW

Stream Name	Field/Map Identification	DEC Stream Classification	Proposed Activities
Unnamed Tributary to Hudson River	SA-1-S	-	Extend existing culvert on existing road; 18-inch culvert for new permanent road
Unnamed Tributary to Hudson River	SA-2-S	D	None
Unnamed Tributary to Hudson River	SA-2A-S	-	18-inch temporary culvert on existing road
Unnamed Tributary to Hudson River	SA-3-S	-	None
Unnamed Tributary to Hudson River	SA-4-S	-	None
Unnamed Tributary to Hudson River	SA-5-S	C	2, 36-inch culverts for new permanent road
Unnamed Tributary to Hudson River	SA-8S-2	-	Existing culvert on driveway/access road

Floodplains

For Saratoga County, 100-year flood data from the Flood Insurance Rate Maps ("FIRMs") published by the Federal Emergency Management Agency ("FEMA") were obtained through the NYS GIS Clearinghouse. The FEMA floodplains are provided on mapping in **Appendix B**.

3.3 Existing Site Conditions

Land Use

According to the Ecological Regions of New York State (NYS GIS Clearinghouse 1990), the Phase II Project ROW is located in New York State Ecological Regions K06 - Eastern Adirondack Foothills, and is located within the Adirondack-New England Highlands subdivision of the Eastern Highland Subdivision. The existing ROW traverses steep slopes with elevations from 440 feet to 680 feet above sea level (see drawings in **Appendix C**). Land use adjacent to the ROW between the Spier Falls Substation and Structure #15 consists of forested areas within Moreau Lake State Park. Land use

adjacent to the Structure #16 and Structure #21 areas consists of residential and forested areas.

Vegetation

In general, vegetation along the existing ROW has been maintained under a utility vegetation management plan and the ROW in this area would be classified as a "herbicide-sprayed roadside/pathway" natural community (Reschke, 1990). The existing ROW is currently maintained under National Grid's ROW Vegetation Management Plan and is dominated by low-lying ground cover, grasses, and low growing shrubs turf/brush that will remain essentially unaffected by construction activities except along roads and around structures. Dominant vegetation observed in or adjacent to the ROW in the Phase II area includes maples (*Acer* spp.), eastern hemlock (*Tsuga canadensis*), American beech (*Fagus grandifolia*), ashes (*Fraxinus* spp.), elms (*Ulmus* spp.), birches (*Betula* spp.), honeysuckles (*Lonicera* spp.), goldenrods (*Solidago* spp.), hayscented fern (*Dennstaedtia punctilobula*), little bluestem (*Andropogon scoparius*), and oriental bittersweet (*Celastrus orbiculatus*).

The existing ROW and the vegetation management easement areas will be maintained in accordance with National Grid's PSC-approved Transmission Right-of-Way Management Program (revised May 2010) adopted pursuant to 16 NYCRR Part 84 ("TROWMP") that includes selective tree cutting and targeted herbicide applications. Vegetation effects will be minimal along the Project ROW, and primarily will be associated with temporary disturbance along construction access roads and at pole structure work space areas. During Project operation, all vegetation will be managed in a condition that ensures safe access to the existing and proposed transmission structures, and to prevent future electrical service interruptions caused by tall growing tree saplings and tall shrubs in the ROW. Selective tree removal is proposed in the "danger tree" zone adjacent to the existing Project ROW. The identification of these areas is defined in National Grid's TROWMP, and the vegetation management of these areas will be consistent with this program.

Topography and Soils

The Phase II area of the Project crosses a steep ridge line south of and above the Hudson River. This area is considered part of the Palmertown Range Mountains. The northern extent of the Project is located at the existing Spier Falls Substation at approximately elevation 650 feet above sea level. Existing site slopes range from approximately 15% to near vertical. Typical slopes range from 30% to 60%.

There are no unique geologic or topographic features that would be adversely affected by the construction or operation of the Project. Effects on topography during construction relate to grading for access roads and work space areas, installation of pole structures, temporary stockpiling, and vegetation clearing within the Project ROW. The SWPPP drawings specify the avoidance, minimization, and mitigation measures for disturbed soils and topography along the Project ROWs. Grading and construction operations may result in the potential for erosion and sedimentation along access roads and structure sites. These effects will be mitigated through the use of BMPs.

The soil series mapped in the Phase II Project area consist of bedrock-controlled ridges and soils derived primarily from water sorted sand and gravel. The soils are well drained or excessively drained. The water table is typically found more than 6 feet from the surface in the mapped soil types. None of the soil types mapped in the project area are classified as hydric soils (USDA 2004). The soil series descriptions and soil characteristics along the ROW are summarized in Table 3-2. A Soil Survey map of the Phase II Project area (Figure 2) is provided in **Attachment D.**

3.4 Description of Proposed Work

Construction of Phase II will entail several construction activities that facilitate the progression of structure construction and wire stringing within specific service outage restrictions, while maximizing work efficiency and environmental compatibility. Transmission facility construction consists of the following activities and general environmental practices.

Table 3-2
Mapped Soil Units the Phase II Project ROW

Soil Series & Mapping Unit	Parent Material	Depth to Bedrock (inches)	Drainage Class	Hydrologic Soil Group	Additional Comments
Bice-Woodstock Complex BPE: steep, stony	Stony glacial till	Bice: > 60 Woodstock: 10-12	Bice: Well drained Woodstock: Somewhat excessively drained	Bice: B Woodstock: D	Very deep Bice and shallow Woodstock soils; Depth to water table is 6+ feet; Surface runoff is rapid
Hinckley gravelly loamy sand HcD: hilly	Water sorted sand and gravel, located on deltas, kames, and eskers	> 60	Excessively drained	A	Very deep soils Depth to water table is 6+ feet; Surface runoff is slow

Materials will be delivered to each structure construction work area using various vehicles suitable for the access roads and work site terrain encountered in the right-of way. Equipment may include pole hauling trailers, tracked and wide rubber-tired vehicles, boom crane(s), trucks, an auger rig or excavator, small dump trucks, and four-wheel drive vehicles.

The Environmental Monitor will provide environmental "look ahead" consulting and oversight for access and work activities during these construction activities, and will perform the necessary SWPPP inspections. The Environmental Monitor will assess field conditions for the potential for sedimentation to any nearby streams; assist in determining whether erosion or sediment barriers are necessary at work or disturbance locations; and will determine long-term soil stabilization measures.

Right-of-Way Vegetation Management

The proposed 115kV transmission line will be primarily constructed within the existing Project ROW. Within the existing ROW, trees and shrubs will be mowed, trimmed, or cleared to provide unimpeded and safe access to proposed structure work sites.

In addition, trees will be cleared within the newly acquired vegetation management easement areas on the Carter and Lillibridge properties. Following construction, the vegetation management easement areas will be maintained under grants of easement established with the landowners, and in accordance with National Grid's existing TROWMP. Tall growing species will be removed from a 20 to 25 foot wide strip of ROW for construction, and that strip will be maintained as a border zone after construction is complete, in accordance with National Grid's TROWMP. Maintenance will include removal of tall growing species; however, some medium growing species and woody shrubs will be allowed to revegetate. Landowners within the vegetation management easement will be allowed to plant low growing species.

The specific clearing and vegetation management specifications for the Project are provided on the Plan and Profile drawings in **Appendix B**. Timber within the ROW adjacent to Moreau Lake State Park has been evaluated for accessibility to be removed. Where the timber can be removed safely and without causing additional impact to the environment, it will be removed. Once removed, National Grid will give the first option for the wood to Moreau Lake State Park. Wood to be given to Moreau Lake State Park will be delivered to the park at the site shown in Figure 3 in **Attachment D**. A timber sale will be evaluated for the remaining timber.

Merchantable wood will be salvaged in the form of logs or pulpwood, where allowed by relevant landowner agreements. The non-merchantable wood and brush that is cleared will be removed, chipped, or piled, as specified on the Plan and Profile drawings in **Appendix B**. Disposal of all wood on the Project ROW will be in compliance with agreements made with property owners and in accordance with the EM&CP.

In the ROW adjacent to Moreau Lake State Park, since there is considerable access road construction, stumps are anticipated to be numerous. The stumps will be buried in the disturbed areas adjacent to the access road and construction areas. If the quantity of stumps is too great to be placed in these areas, they will be chipped or hauled to an approved location.

Access Roads

Access roads provide entry to and egress from the cleared ROW at the intersection of local, state, and public roadways. Existing access roads or paths in the Project ROW have been utilized wherever possible and will be improved as required to provide safe and effective equipment access to each structure location. New temporary and permanent access roads will be required, as identified on the Plan and Profile drawings in **Appendix C**.

Significant environmental impacts to existing vegetation, water, and soil resources have been avoided by using existing access roads or paths where possible and by properly locating the new access roads. The siting of new access roads was based on such factors as avoidance of environmentally sensitive features (e.g., wetlands and streams); facilitation of future maintenance work; minimization of erosion; and maximum utilization of existing roadways and cleared ROWs. Where site conditions such as steep slopes or sensitive streams and wetlands are a concern, off-ROW access were considered to avoid such sensitive sites. Proposed off-ROW access roads are shown on the Plan and Profile drawings in **Appendix B and C**. Permission for off-ROW access will be obtained from landowners if existing rights do not already provide for such access.

The details for construction of new access roads, the use of existing roads, and the control of erosion and sedimentation during construction of the proposed transmission lines are provided in Section 4.0, Section III of the Phase II EM&CP, and the drawings in **Appendix C**. Erosion and sediment controls will be designed to maintain and protect the soil and water resources located within the Project ROW during and following construction activities. These erosion and sediment controls are in conformance with conditions of the GP. Such conditions will include, but not be limited to, timing of construction; accessibility; movement of construction traffic within the ROW; and creation of access roads (e.g., cut and fill, water bar, and culvert installation).

Direct Bury Steel Pole Structures

Steel pole structures will be typically installed by directly burying the poles into the ground. The direct bury process involves excavating a hole and installing a corrugated metal culvert pipe in the vertical position to the appropriate depth for the new steel pole. The steel pole is then set inside the culvert and backfilled with stone.

Depth to bedrock, soil bearing capacities, and depth to groundwater will influence structure placement and foundation design. In some areas, blasting or drilling shallow bedrock may be required. Shallow bedrock would require mechanical rock removal to ensure the poles are installed to the correct depth. Should blasting be required, it will be conducted in accordance with applicable state and local regulations. Foundation design for dead-end and angle structures will consider site-specific soil bearing capacities and subsurface conditions through individual boring investigations at those locations. Foundation designs are included in **Appendix F**.

Concrete Foundation Construction

A tire-mounted backhoe, excavator, or flex-tracked auger is typically used to excavate a hole for concrete caisson foundations. Other equipment used in the ROW may include one or two all-wheel drive crane and/or bucket-equipment vehicles, four-wheel drive pick-ups, concrete trucks, and utility trucks. Erosion and sediment controls will be placed between the work activity and adjacent undisturbed areas as required.

Generally, a caisson foundation involves excavating a hole approximately 8-11 feet in diameter to a depth of approximately 15-25 feet in order to install a 6 to 8-foot diameter culvert in a vertical position that serves as the form for the concrete foundations. Temporary soil stockpiles will be located within the defined workspace area on the drawings in **Appendix C**. Foundation designs are included in **Appendix F**.

If groundwater is encountered, the discharge of water from the caisson excavation area may occur during initial excavation or as a result of pouring concrete into the caisson form. In the event that dewatering procedures are necessary, encountered water will be pumped from the excavation into a temporary containment area, which will be situated in

an upland location and constructed of straw bales and geo-textile fabric (see Figure LS-6831-0 in **Appendix A**). Prior to pumping, a dewatering basin will be constructed and implemented. The water will then be allowed to infiltrate back into the ground or filter through and/or overtop the dewatering basin.

After placement of concrete, wash water used to clean the concrete truck will be directed to a concrete washout structure. According to the Environmental Protection Agency (EPA), "the wash water is alkaline and contains high levels of chromium, which can leach into the ground and contaminate groundwater." (USEPA, 2010)

Once the concrete has cured, the excavations would be backfilled and organic topsoil replaced over the disturbed area. Once the new structures are complete, the conductors are installed. The erosion control barrier will then be removed, and the straw mulch and seed will be spread over upland work areas to provide protection from rainfall and ensure vegetative stabilization regenerates.

34.5kV Sub-Transmission Line Structures

The existing Spier Falls - Brook Road 3 34.5kV line and Spier Falls - Saratoga 12 34.5kV line within Moreau Lake State Park will need to be relocated approximately 25 feet to the east of their existing locations over a distance of 0.4 miles to accommodate New Line 302. A total of thirteen (13) existing structures will require relocation. These structures will be replaced with wood pole double circuit structures approximately 55 feet in height with an average span length of approximately 240 feet.

The wood pole structures utilized will be direct buried in a manner similar to the one used with the steel poles, except that the burial depth will be 10% of the pole length plus two feet. Culverts used in conjunction with wood pole foundations will be 2.5 to 4 feet in diameter.

Conductor Stringing

After the structures are erected, insulators will be installed and conductor and lightning wire protection (called shield wire) will be strung using a lead line and puller/tensioner

machine. Lead lines can be walked through wetlands, streams, and vegetative buffer zones with minimum disruption to water resources. Conductors will be pulled through stringing blocks by the tensioning equipment that is staged at appropriate structure locations. During conductor stringing, temporary guard structures will be placed at all roadways and hiking trails, and near existing utility lines to ensure public safety and the continued operation of other utility equipment.

Conductor stringing sites will be designated at selected structure sites on the existing Project ROW and are specified on the Plan and Profile drawings in **Appendix B**. Such sites will involve set-up and operation of mechanized pulling equipment and conductor reels. Sensitive environmental sites were avoided in locating such sites.

Clean-up and Restoration

Clean-up and restoration activities will be conducted, as required, at structure work sites and access roads. Clean-up activities include the removal of all equipment and construction debris from the ROWs. Restoration work may include re-grading; removal of temporary erosion controls; the restoration of stream banks; temporary or permanent seeding and mulching for erosion control; tree and shrub plantings in vegetative buffer strips; and removal of temporary access roads and stream crossings.

National Grid will perform construction activities in accordance with all state and federal regulations. Additionally, National Grid will adhere to the procedures and specifications in the SWPPP and EM&CP, which include BMPs that will be utilized to minimize impacts to the environment and the surrounding community.

3.5 Sequence of Construction Activities including Milestone Dates

Phase II is anticipated to involve four (4) general phases of work. Phase II of the Project is anticipated to begin in June 2012 with duration of construction of approximately six (6) months. The phases of construction will generally include:

Phase 1: Vegetation management along proposed access and around structures; preparation of access roads, including the installation of stabilized construction entrances where necessary; minor repair and grading (as discussed above) of existing roads and construction of new access roads, preceded by the installation of appropriate erosion and sedimentation controls or BMPs, and the installation of temporary construction mats where necessary to access and stage equipment in wetlands and other sensitive areas.

Phase 2: The above-ground installation of hardware and steel tower reinforcements, the replacement and construction of new structures, and the removal of replaced structures.

Phase 3: Stringing, pulling, and clipping in the new electric transmission lines (also preceded by the installation and/or replacement or maintenance of appropriate BMPs, as needed).

Phase 4: Busing as identified in the EM&CP.

Prior to any work, temporary erosion and sediment control measures must be installed and certified as acceptable by the designated Environmental Monitor. Preconstruction site approval must be achieved for all distinct phases of work activity.

The Contractor will be responsible for installing and maintaining necessary controls to prevent erosion and sedimentation until final stabilization. The Contractor will be required to install additional required erosion controls as necessary to maintain erosion and sediment control for field conditions in accordance with the GP and this SWPPP.

4.0 Stormwater Management Controls

4.1 Potential Impacts for Stormwater Contamination

When considering the requirements for erosion and sediment control during construction, the SWPPP preparer considered the typical transmission construction activities and general operations that have the potential for erosion and sedimentation due to

stormwater runoff. These activities, and their potential for affecting erosion or sedimentation, are described as follows.

Tree Clearing

Removal of vegetation can expose soils to erosion. Ruts caused by vehicles can create paths for concentrated water flows. The existing ROW for the Project is generally well maintained and has established herbaceous and shrub ground cover. The ROW and off-ROW access roads will be mowed, cleared, and/or trimmed and slash will be disposed in accordance with the slash disposal methods described in the EM&CP and shown on the plans in **Appendix B**.

Stabilized Construction Entrances

At points where traffic will be entering or leaving the work area mud and debris may collect and re-deposit on roads once equipment has left the ROW. A stabilized construction entrance is warranted to remove such debris; these are typically a pad of aggregate supported by a layer of geo-textile fabric that reduces or eliminates the transport of sediment off site and onto public streets as per the *New York Standards and Specifications for Erosion and Sediment Control* guidance (see Figure 5A.35 in **Appendix A**). Additional maintenance shall be performed where necessary, including laying down replacement layers of aggregate, or where necessary, washing of vehicles wheels before leaving the site, and the routine removal of all sediment dropped or spilled onto the public road. Where washing is necessary it will be performed on an area stabilized with aggregate, and the resulting wastewater captured with an appropriate sediment trapping method. In addition, the Contractor will be required to sweep the road daily at all stabilized construction entrances being used in areas where soil disturbing activities are ongoing.

Excavation and Grading Operations

Where locations will require excavation at or around structures, excavated material shall be temporarily stockpiled within the ROW away from stormwater conveyance areas in a manner that prevents erosion and the transport of sediments (e.g., by installing silt fencing). Excess or unsuitable material shall be moved to an approved upland location

on the ROW or to an approved off-ROW disposal location. Excess soil will be spread evenly, and seeded and mulched.

Preparation of access roads can expose underlying soils and create an erosion potential. Exposed soils at access roads shall be stabilized as identified in the SWPPP.

The construction Contractor shall exercise all necessary and reasonable precautions to minimize sedimentation, soil erosion, and permanent impacts to wetlands and watercourses in the work areas and along the ROW. Special conditions and erosion and sedimentation controls are prescribed on the drawings in **Appendix C** at work location in these special areas. Any excess excavated material to be removed from wetlands, watercourses, or adjacent areas shall not be stored in wetlands, streambeds, or adjacent areas. Excavated material shall be stockpiled with proper stabilization, erosion controls, and drainage outside the wetland or watercourse, and disposed of at approved upland locations.

Fugitive Dust

Dust generated by vehicles can be deposited on mats or paved roads and runoff from these areas can drain to wetlands and waterways causing sedimentation. Dust control procedures are provided in **Appendix A**.

Construction Vehicles Refueling

Refueling of vehicles on the ROW is anticipated and will be done by following the procedures outlined in Section 5.0 of this SWPPP.

Waste Management Practices

Typical transmission construction projects generate certain solid waste (material wrapping, parts containers, tower hardware, old wood poles, personnel-generated trash and waste and construction debris). Section 5.0 of this SWPPP addresses appropriate waste management practices that will be implemented.

4.2 Temporary and Permanent Erosion Control/Slope Stabilization Practices

Best Management Practices

BMPs for addressing erosion and sediment control will be installed prior to, and maintained in acceptable condition throughout the duration of any clearing and/or earthmoving operations. Those temporary measures will be continually monitored by the Environmental Monitor and *trained contractor* until the permanent ground cover within the affected corridor is established. At that point, temporary measures will be removed from the site.

Stabilization measures that shall or may be used during project construction include nonstructural and structural controls. Surface stabilization techniques shall be used during construction to reduce the potential of sediment loading in stormwater runoff from disturbed areas. All disturbed areas that will be left exposed more than 7 days, and not subject to construction traffic will receive temporary seeding as specified in **Appendix A** and in accordance with the *New York Standards and Specifications for Erosion and Sediment Control*.

Stabilization practices shall be initiated as soon as practicable, but no more than 7 days in any portion of the site where construction activities have temporarily or permanently ceased. If weather (i.e., snow cover or frozen ground conditions) precludes the initiation of stabilization practices, then such measures shall be undertaken as soon as practicable. Where construction activity shall resume on a portion of the site within 7 days from when the activities ceased, then stabilization practices do not have to be initiated on that portion of the site where the erosion hazard is low; such as 50 feet from streams and wetlands, where steep grades or adverse soil conditions are absent. Temporary and permanent vegetative cover standards will be followed in accordance with the *New York Standards and Specifications for Erosion and Sediment Control*.

Specifications for BMPs in the following categories are provided in Appendix F of the EM&CP, and are incorporated herein by reference:

1. Erosion & Sediment Control Procedures
2. Clearing and Slash Disposal Procedures
3. Stream and Wetland Protection Procedures
4. Agricultural Land Protection Procedures
5. General Clean-Up and Restoration Procedures
6. Access Road Types and Definitions
7. Invasive Species Control
8. Rare, Threatened and Endangered Species and Significant Natural Community Protection Procedures
9. Cultural Resources Protection Procedures

Additional Requirements for Sediment and Erosion Control

Additional requirements for the control of erosion and sediment during construction are as follows:

- Contractor operations may inadvertently create well-defined and erosive ruts and shallow channels (especially when grades exceed 2%) in upland areas and roads. To reduce the potential damaging effects of said erosive conditions, the contractor is required to fill and level all depressions in areas that exceed 2% in grade prior to the end of each workday. Where there is significant potential for ruts and shallow channels based on the soil conditions, swamp mats shall be used.

- Temporary stockpiling of granular material (gravel, excavated spoils, select backfill, topsoil, etc.) is expected on-site. Stockpiling of granular material will not be permitted where it may pose a health or safety risk to the general public or risk to the water quality of any water bodies within the vicinity of the project (as determined by the Project Environmental Monitor). At all times during construction, stockpiled material will be appropriately protected with silt fence.

- Soils stabilization measures of disturbed areas will be initiated as soon as practicable in portions of the site where construction activities have

temporarily or permanently ceased, but in no case longer than 7 days except for the following instances:

- Where the initiation of stabilization measures by the 7th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable;

- Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will resume within seven (7) days, temporary stabilization measures need not be initiated on that portion of the site.

- Any areas that are disturbed shall be stabilized using permanent seed mix of native grasses as specified in **Appendix A**. In addition, native plants will be used to reclaim slopes, underbrush areas, etc. Native plants may be used in areas where a specified cover story must be maintained. Seeding and soils will be appropriately protected using a rolled erosion control product on slopes greater than one vertical on three horizontal and mulch on flatter surfaces.

Temporary Stabilization for Winter Construction/Frozen Conditions

To reduce the frequency of the site inspections for inactive sections of the project to monthly for SWPPP compliance, the operator must complete stabilization activities (perimeter controls, traps, barriers, etc.) before proper installation is precluded by snow cover or frozen ground. If vegetative groundcover is desired, seeding must be scheduled to allow for proper germination and establishment. Prior to reducing the inspections the owner shall provide written notification to the NYSDEC Regional Office stormwater contact person (see **Attachment A**). All erosion and sediment controls must be installed and maintained according to the *New York Standards and Specifications for Erosion and Sediment Control*. The main items to consider are:

- Site Stabilization - All bare/exposed soils must be stabilized using vegetation, straw mulch, matting, rock or other approved products such as rolled erosion control product. To avoid accidental introduction of invasive species, no hay bales (grass forage) are to be used for mulch or sediment barriers. Seeding of areas along with mulching is required expect for wetlands, areas with top soil that has a high amount organic material, and agricultural areas.

- Sediment Barriers - Barriers must be properly installed at all necessary perimeter and sensitive locations.

- Slopes - All slopes and grades must be properly stabilized with approved methods. Rolled erosion control products must be used on all slopes greater than 3: 1, or where conditions for erosion dictate such measures. Slopes steeper than 2: 1 will require riprap stabilization, as shown on the plans in **Appendix B**.

- Soil Stockpiles - Stockpiled soils must be protected by the use of established vegetation, anchored-down mulch rolled erosion control product, or other durable covering. A silt fence must be installed around the pile to prevent erosion and sedimentation away from that location.

- Stabilized Construction Entrances - All entrance and exit locations to the site must be properly stabilized and must be maintained to accommodate snow management as set forth in the *New York Standards and Specifications for Erosion and Sediment Control*.

- Snow Management - Snow management must not destroy or degrade erosion and sediment control practices.

Frozen ground, winter conditions, and equipment can affect erosion and sediment control practices. Erosion and sediment control devices must be checked for damage during monthly inspections and repairs made as necessary. This is especially important during thaws and prior to spring rain events. Weekly inspections must resume no later than March 15 or as directed by the GP.

Permanent Stormwater Management Practices

Sections of the Phase II Project area with new impervious area for access roads will require the installation of permanent stormwater management practices. These practices have been designed in accordance with the *New York State Stormwater Management Design Manual* and address the appropriate stormwater quality and quantity requirements. Permanent stormwater management practices are described in Section III of the Phase II EM&CP.

5.0 Spill Prevention and Solid Waste Management

Proper material storage, handling and disposal practices coupled with spill prevention, control, and countermeasure procedures shall be implemented during construction to reduce the risk of exposure of materials and hazardous substances to stormwater or other environment resources.

Good housekeeping is a major component of the pollution prevention program for the Project. Litter, construction debris, oils and chemicals shall be prevented from exposure to stormwater and from becoming a pollutant source. All oils, hazardous materials, wastes and unused materials shall be removed from the work site at the completion of the job.

The *trained contractor* shall conduct a daily walkover of active construction sites to identify exposure of potential pollutants to stormwater and ensure any problems identified are corrected. The storage, handling, and disposal procedures to be enforced by the Environmental Monitor are described in the subsections below.

5.1 Management of Spills and Releases

Should a fuel, lubricant, or chemical spill occur, the Environmental Monitor will notify the National Grid Regional Control Center and Divisional Environmental Engineer identified in **Attachment A** immediately to ensure proper reporting and clean-up. The National Grid Divisional Environmental Engineer will proceed as appropriate in

accordance with National Grid Environmental Policies and NYSDEC notification requirements (see Appendix K of the EM&CP).

Potential Pollutant Sources

Table 5-1 summarizes the types of materials and approximate quantities that may be found at the work sites during construction of the Project.

5.2 Refueling and Vehicle Lubrication

Vehicles requiring refueling or lubrication shall be brought to a portion of the ROW that is 100 feet away from environmentally sensitive areas (such as wetlands, storm drains, culverts, wells, etc.), with the following exceptions:

- Hand equipment (e.g., chainsaws) may be refueled in wetlands or within 100 feet of wetlands or streams when secondary containment is used. Secondary containment will be constructed of an impervious material capable of holding the hand equipment to be refueled and 110% of the fuel storage container capacity. All crews operating hand equipment within 100 feet of a wetland or stream shall have sufficient spill containment equipment on hand to provide for prompt control and cleanup, in the event of a release. Fuel tanks for hand equipment will be initially filled in an upland location greater than 100 feet from wetlands or streams prior to entering these areas to minimize the amount of refueling that may take place in sensitive areas.

- Refueling of cranes and drill rigs may take place within sensitive areas when necessary to maintain continuous operations and where removing equipment from a sensitive area for servicing would increase adverse impacts to the sensitive area. Equipment fuel tanks will be initially filled in an upland location greater than 100 feet from wetlands or streams prior to entering sensitive areas to limit refueling within sensitive areas. All refueling of cranes or drill rigs will be conducted under the direct supervision of the Environmental Monitor. All equipment operating within 100 feet of a wetland or stream shall have sufficient spill

containment equipment on board to provide for prompt control and cleanup, in the event of a release. Absorbent pads or portable basins will be deployed under the refueling operation. In addition, the fuel nozzle will be wrapped in an absorbent pad and the nozzle will be placed in a secondary containment vessel (e.g., a bucket) when moving the nozzle from the fuel truck to the equipment to be refueled.

The operator shall take precautions to ensure that drips, spills, or seeps do not enter the ground. The use of absorbent towels and/or portable basins beneath the fuel tank is recommended.

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. Construction equipment and contractor personal vehicles shall be parked at least 100 feet from a wetland, river, creek, stream, lake, reservoir, spring, well or other ecologically sensitive site or existing recreational area along the proposed ROW at the end of the working day except where it is necessary to maintain continuity of construction.

Petroleum products and hydraulic fluids that are not in vehicles shall be stored in tightly sealed containers that are clearly labeled. All gasoline and fuel storage vessels with greater than a 25- gallon capacity must have secondary containment constructed of an impervious material and be capable of holding 110% of the vessel capacity.

All equipment operating within 100 feet of a water body, 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.

Table 5-1: Potential Pollutant Sources for Construction Activities		
Pollutant	**Quantity**	**Container and Storage Description**
Medium Weight Used Oil	10 gallons	5-gallon steel containers, on pallets located inside secondary containment area.
Used Oil	50 to 100 gallons	55-gallon drum inside a secondary containment area.
Hydraulic Fluid	Less than 25 gallons	Approved containers
Thinners/Solvents/Xylene/Methyl Ketone/Acetone (substation only)	Less than 25 gallons	1-gallon steel containers and 5-gallon steel containers, on pallets located inside secondary containment area.
Paint	100 gallons	5 gallon steel containers located inside a secondary containment area.
Gasoline	Less than 50 gallons	5-gallon steel containers located inside secondary containment for chainsaws, pumps, etc. Mobile fueling truck w/ spill kit on board, no full time storage.
Diesel Fuel	30 to 100 gallons	Mobile fueling truck w/ spill kit on board, no full time storage.
Herbicides	Varies	Approved containers and application devices.
Solid Waste (litter and construction debris)	Varies	Covered dumpsters.
Sanitary Waste	Varies	Portable facilities.

5.3 Solid Waste Management

The construction Contractor shall comply with all required regulations governing the onsite management and off-site disposal of solid wastes generated during construction of the Project. A solid waste management program will be implemented that encourages

and supports proper solid waste disposal and recycling practices through the placement of appropriate on-site containers. Solid waste and debris that cannot be recycled, reused, or salvaged shall be stored in on-site containers for off-site disposal. No loose materials shall be allowed at the jobsite and all trash must be disposed of in the covered dumpster. The prospective waste hauling/disposal contractors shall be required to provide documentation showing they have all necessary permits/licenses in place prior to being awarded the work.

During the construction of the Project, work crews will be required to promptly clean up debris and trash as they move from one work location to the next. The clearing, construction, and restoration contractors shall continually remove and properly dispose, at an approved site, all refuse from the ROW during all phases of the construction process to ensure that no refuse remains on the ROW at Project completion. The Contractor is reminded that there is to be no burning of crates or other refuse on the Project ROW. The Contractor will notify the Environmental Monitor of all proposed debris disposal locations. When construction and restoration are complete, the site will be free of all construction debris, with temporary structures, material, equipment and all other items specified to be removed. The Environmental Monitor will review debris removal on a continual basis during construction, and will conduct a follow up ROW review after completion of each phase of work with the contractor to assure that all the debris have been removed.

The Contractor shall use portable sanitary facilities during construction. These facilities shall be maintained under contract with a local, licensed vendor. Prospective vendors shall be required to provide documentation to National Grid showing they have all necessary licenses in place prior to being awarded the work.

5.4 Hazardous Waste Management

The Contractor shall comply with all required regulations governing the onsite management and offsite disposal of hazardous wastes generated during construction of the Project. It is not anticipated that any hazardous wastes will be generated during the

construction of the transmission facilities. Potential waste hauler/disposal contractors shall be required to provide documentation showing that they have all necessary licenses in place prior to being awarded any work.

Should a fuel, oil, or chemical spill occur during the project, the Contractor will be responsible for reporting the spill or release to the Environmental Monitor, who will report the spill to the National Grid Division Environmental Engineer. The Environmental Engineer will proceed as appropriate in accordance with National Grid Environmental Policies and NYSDEC notification requirements. If the Environmental Monitor cannot be reached, the Contract shall report the spill directly to the Environmental Engineer. The Contractor is responsible for any and all response actions. Any contaminated soil shall be removed from the worksite and disposed of in accordance with NYSDEC guidance. Refer to Appendix K of the EM&CP for the reporting and clean up procedures for accidental spills.

5.5 Emergency Response Procedures

National Grid shall coordinate with local fire officials regarding onsite fire safety and emergency response. The Contractor shall keep National Grid's Construction Supervisor, the Environmental Monitor, and the local fire department and emergency management teams apprised of hazardous chemicals and waste used in the ROW or marshalling yards. The Contractor shall periodically conduct safety inspections at the construction sites that focus on housekeeping that relates to fire prevention and spill prevention. A contact list of local fire department and emergency management teams is included in **Attachment A**. Refer to Appendix K of the EM&CP for National Grid's procedures regarding immediate and follow-up reporting of environmental spills or releases of petroleum products or hazardous substances.

The highest priority will be placed on safety at the construction site. The Contractor shall ensure that a reputable safety program in place that includes, but is not limited to, safety training for new hires, onsite safety meetings and inspections, accident/injury reporting, spill prevention and response procedures, and first aid practices. Additionally, the use of

safety gear (i.e., hardhats, safety glasses, safety vests, steel toed shoes, etc.), equipment and devices necessary to comply with the National Grid and Occupational Safety and Health Administration (OSHA) programs shall be enforced at the construction site.

6.0 Maintenance and Inspections

Inspectors

During construction, an Environmental Monitor will be onsite full time and will inspect all erosion and control practices to ensure integrity and effectiveness, areas of disturbance that have not reached final stabilization, all points of discharge to natural waterbodies located within or immediately adjacent to the Project boundary, and all points of discharge from the construction site.

The Environmental Monitor shall have sufficient knowledge and experience to manage the environmental compliance procedures described in the SWPPP, the EM&CP, and the project's Order Granting a CEC&PN. Requirements for the Environmental Monitor shall be the same as those for *qualified inspectors* and are described in Appendix A of the GP. As previously noted, a copy of the GP is provided in **Attachment B**. The Environmental Monitor will be responsible for monitoring Contractor compliance with the provisions of the SWPPP. The Environmental Monitor will be equipped with sufficient documentation, transportation, and communication equipment to effectively monitor construction. The Environmental Monitor will report to the Project Manager at National Grid, a licensed professional engineer. Training of the Environmental Monitor will begin before commencement of construction and will be ongoing during the term of the Project.

In addition, each Contractor working onsite shall identify at least one *trained contractor*. The qualifications for these key personnel are identified in the GP and require relevant stormwater experience. The *trained contractor* will be responsible for implementation of the SWPPP and shall be onsite during all soil disturbance activities.

Preconstruction Site Assessment

Prior to the start of construction, the Environmental Monitor shall conduct an assessment of the site to certify that the appropriate erosion and sediment controls described in the SWPPP and as required for site specific requirements have been installed. In addition, the preconstruction site assessment shall serve as an opportunity to review the SWPPP requirements, BMPs, required certifications and notices, and identify and discuss potential sources of erosion and required erosion and sediment controls with the Contractor.

Construction Duration Inspections

Construction duration inspections shall be conducted in accordance with the requirements of the GP. At a minimum and in accordance with the GP, site inspections will be performed and documented by a *qualified inspector*, the Environmental Monitor, every seven (7) calendar days to confirm that all required erosion and sediment control measures are in place, properly positioned, and in good condition to properly protect the site. The inspection will also recommend whether corrective actions are required or whether additional erosion and sediment controls are necessary to prevent stormwater contamination or water quality violations (based on unanticipated site conditions). The SWPPP will be maintained and updated throughout the project and will include copies of inspection reports. A sample inspection report is provided in **Attachment C**.

A minimum of weekly inspections will be implemented until earth-disturbing construction activities are complete and final stabilization has been achieved except as allowed by the GP. Completed inspection report forms will be provided to the Contractor's onsite supervisor and maintained at the Owner's office during the entire construction project. If deficiencies are found during an inspection, the Environmental Monitor shall notify the Contractor of any deficient items within one business day of the completed inspection. The Contractor shall begin implementing corrective actions within one business day of notice of deficient items and shall complete the corrective actions in a reasonable time frame. In addition, the Environmental Monitor shall attach to the inspection report form date stamped color copies of digital photographs clearly showing the condition of practices that have been identified as needing corrective actions within

seven (7) calendar days of the date of the inspection. Once corrective action(s) has been taken, the Environmental Monitor shall also attach date stamped color copies of digital photographs clearly showing the condition of the practice(s) after any corrective action has been completed within seven (7) calendar days of the date of that inspection. The inspection personnel designated in **Attachment A** will conduct the inspection and will have the sole authority over the appropriateness and adequacy of all required stormwater management controls during construction.

It is anticipated that Phase II of the Project will disturb five (5) or more acres of ground at any one time. Prior to five (5) or more acres of ground being disturbed at any one time, proper written notification to the NYSDEC must be made in advance, and a written authorization must be granted before the disturbance exceeds five (5) acres. For the duration of construction activities where disturbance exceeds five (5) acres, site inspections must be performed twice per week with at least two days between inspections until the disturbance is reduced by final stabilization to less than five (5) acres. To protect water quality and reduce the impacts of sediment and erosion due to construction activities, every effort to stabilize disturbed areas must be made to maintain an overall disturbance area of less than five (5) acres at any one time.

If construction activities or design modifications are made to the site plan that could impact stormwater, this SWPPP will be amended appropriately by a Qualified Professional. A sample SWPPP Amendment form is included in **Attachment E**. The amended SWPPP will then include a description of the new activities, their associated impacts, and a summary of the appropriate and applicable BMPs to minimize those impacts.

If a portion of the site/project area is permanently stabilized, inspections can cease in that area as long as the condition has been documented by the Environmental Monitor.

Final Stabilization

Upon final stabilization of Phase II of the Project, National Grid shall file a Notice of Termination with the NYSDEC. Prior to filing the Notice of Termination or the end of

permit term, the Environmental Monitor shall perform a final site inspection. The Environmental Monitor shall certify that the site has undergone final stabilization using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed.

In addition, National Grid must identify and certify that all permanent structures described in the SWPPP have been constructed and an operations and maintenance plan that ensures the structure(s) continuously functions as designed has been implemented.

7.0 Amendments

This SWPPP will be amended whenever there is a change in design, construction, operation, or maintenance that has or could have a significant effect on the discharge of pollutants to the waters of the United States that has not been previously addressed in the SWPPP. Dates of certain construction activities such as major grading activities, clearing, and initiation of and completion of stabilization measures should also be recorded. If a portion of the site has reached final stabilization (i.e., completed as designed, or with 80% of background vegetative cover as defined on page H-2 of the *New York State Standards and Specifications for Erosion and Sediment Control*), it can be documented and marked on the plans as stabilized. Inspections no longer need to include permanently stabilized locations.

This SWPPP will also be amended if during inspections or investigation by site staff, or by local, state, tribal or federal officials, it is determined that the SWPPP is ineffective in eliminating or significantly minimizing pollutants in stormwater discharges from the construction site. If it is found that BMPs are not operating effectively, the Contractor shall begin to implement corrective actions within one business day of notification. If maintenance or implementation is impracticable due to a storm event, the situation will be documented in the SWPPP and alternative BMPS will be implemented within a reasonable time frame. The SWPPP text and drawings will be modified as necessary to include additional or modified BMPs designed to correct the deficiencies identified.

Revisions to the SWPPP will be completed within seven calendar days following the inspection.

Amendments to the text will be documented in **Attachment E**.

8.0 Compliance with Federal, State and Local Regulations

8.1 Endangered Species

The Project ROW within Moreau Lake State Park is located partially within and adjacent to a significant natural community, hemlock-northern hardwood forest. During tree clearing activities within the ROW, trees will be felled into the ROW to the extent practicable to avoid disturbance of the adjacent significant natural community. The Environmental Monitor will be present during tree clearing adjacent to the hemlock-northern hardwood forest.

The Federally-endangered Indiana bat and the protected bald eagle may occur throughout the Project area. Because Indiana bats and bald eagles both travel and forage over long distances, temporary disturbance in a localized area from construction of the Project would not have an adverse effect on normal foraging activity. In addition, there are no known roosting locations for the Indiana bat or nesting locations for the bald eagle in the Project area. While the Karner blue butterfly may occur in the Project area, this species and its habitat are not currently known to occur along the Project ROW. Nonetheless, to ensure that no wild blue lupine populations have colonized in the Project's proposed ROW access and work space areas, National Grid preformed surveys for the presence of wild blue lupine during EM&CP field survey and did not observe any lupine. If any lupine is discovered during construction, the procedures in Section 8.1.2 of the EM&CP Procedures in Appendix F of the EM&CP will be followed.

Correspondence with the New York Natural Heritage Program and U.S. Fish and Wildlife Service is included in Appendix H of the EM&CP.

8.2 Historic Places

National Grid conducted a Phase I literature and site file review within a 1.0 to 3.0 mile radius of the Project ROWs for archaeological and historic architectural resources. There are no known or mapped prehistoric or historic archaeological sites within five miles of the Project ROWs.

National Grid conducted an additional Phase I investigation in consultation with the Office of Parks, Recreation and Historic Preservation (OPRHP). OPRHP determined that the project will have no effect on cultural resources. Correspondence with OPRHP is included in Appendix H of the EM&CP.

8.3 Other Permits and Regulations

Permits and approvals that National Grid intends to seek other than the GP in connection with the Project are discussed below.

Article VII

Pursuant to Article VII of the Public Service Law ("PSL"), National Grid has submitted an Article VII application to the PSC for a CEC&PN authorizing the construction of the Project. This SWPPP is part of the Project's Phase II EM&CP as required by the PSC.

State and Federal Wetlands and Waterways Permit

Section 404 of the Clean Water Act ("CWA") (33 U.S.C. § 1344) requires a permit from the USACE prior to the discharge of dredged or fill material into the waters of the United States including all wetlands (regardless of their size) that meet the federal wetland delineation criteria.

In the preparation of the SWPPP and EM&CP, National Grid has avoided and minimized permanent impacts to wetlands and protected waters to the maximum extent practicable, by locating construction access roads and transmission structures outside of wetlands and protected waters where possible. Unavoidable stream impacts will be evaluated by the

USACE through the filing of an amendment to the USACE Section 10 and 404 permits for the Project.

Section 401 of the CWA (33 U.S.C. § 1341) requires that an applicant for a federal permit (such as Section 10 and Section 404 permits from the USACE) to conduct an activity that may result in a discharge into navigable waters must obtain a 401 water quality certification ("401 WQC") from the state in which the discharge originates. No "navigable" waters are included in the Phase II Project area.

There are no NYSDEC wetlands or protected waters in the Phase II Project area.

Retention of Records

Once Phase II of the Project is complete, the contractor will submit a complete copy of all inspection records and SWPPP amendments to the owner. The owner must maintain a copy of the SWPPP, Inspection Reports, NOI, NOT, and NOI Acknowledgement letter for a period of five (5) years from the date of final site stabilization.

9.0 Post-Construction Stormwater Management Measures

The construction of a permanent gravel maintenance road in the first 1.3 miles of Line 302 requires permanent stormwater quality treatment and practices. For this section, post-construction stormwater management has been designed in accordance with *New York State Stormwater Management Design Manual*. Permanent stormwater management practices are described in Section III of the Phase II EM&CP.

Operations and Maintenance

Proper maintenance of the post-construction stormwater management practices is required to ensure long-term performance of the practices and as a condition of the GP. National Grid currently has a program in place to monitor and maintain the ROW for vegetation management and this program will be expanded to cover post-construction stormwater practices. National Grid will be the entity responsible for long term operations and maintenance of the stormwater management practices.

Refer to National Grid's TROWMP for more detailed and identification of standard operations and maintenance procedures. The standard maintenance of the ROW includes practices such as the following:

- Periodically remove debris and litter
- Stabilize eroding soil in the ROW
- Clean culverts and remove built-up sediment within culvert pipe and at inlet and outlet
- Replace stone for rock outlet protection at culverts
- Fill rills and washed out areas of soil
- Establish vegetation on bare or exposed soils

Specific procedures for the post-construction stormwater management practices installed at this site are described in Attachment F of Section III of the Phase II EM&CP.

10.0 Certifications

Contractor's Certification

All contractors and subcontractors performing construction activities shall sign the following certification before they commence construction activity. A copy of the certification shall be included in the SWPPP.

"I hereby certify 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 (Environmental Monitor) 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 understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

Name of Construction Company	
Address of Construction Company	Telephone Number of Construction Company
Printed Name of Authorized Representative	Title
Signature of Authorized Representative	Date
Printed Name of Trained Contractor	Title
Signature of Trained Contractor	Date

Specific elements of the SWPPP that the Contractor will be responsible for include (expand as required):

11.0 Notice of Intent

The completed Notice of Intent is located in **Attachment G** of the SWPPP. The Phase II portion of the Project is not located within any regulated Municipal Separate Storm Sewer Systems (MS4).

Attachment H is reserved for a copy of the Acknowledgement Letter received from NYSDEC, which acknowledges receipt of the NOI.

12.0 Acknowledgement of Receipt of NOI

A receipt acknowledging receipt of the NOI is contained in **Attachment H**.

13.0 References

National Grid. May 2010. *Transmission Right-of-Way Management Program*.

Nationwide Rivers Inventory ("NRI"). 2008 Rivers and Trails, New York Segment. Internet website: http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html

New York State Department of Environmental Conservation ("NYSDEC"). August 2010. *New York State Stormwater Management Design Manual*. Prepared by Center for Watershed Protection, Ellicott City, MD.

New York State Department of Environmental Conservation ("NYSDEC"). 2010. *List of Impaired Waters*. Internet website: http://www.dec.ny.gov/chemical/31290.html Accessed March 2010.

New York State Department of Environmental Conservation ("NYSDEC"). August 2005. *New York State Standards and Specifications for Erosion and Sediment Control*.

Reschke, C. 1990. *Ecological Communities of New York State*. New York Natural Heritage Program. New York State Department of Environmental Conservation. Latham, N.Y. 96p. +xi.

Soil Survey of Saratoga County, New York. 1993. U.S. Department of Agriculture in corporation with Cornell University Agricultural Experiment Station.

U.S. Environmental Protection Agency ("USEPA"). 2010. *EPA – Stormwater Menu of BMPs: Concrete Washout*. Internet website: http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=browse&Rbutton=detail&bmp=117 Accessed May 28, 2010.

U.S. Geological Survey ("USGS"). 1997. New York Land Cover Dataset. Accessed via Internet.

U.S. Geological Survey ("USGS"). 2001. *National Map Seamless Server*. National Land Cover Dataset. Internet website: http://seamless.usgs.gov/index.php

ATTACHMENT A – CONTACT LISTS

National Grid Spier Falls-Rotterdam New 115kV Transmission Project – Phase II Table A-1 Local Emergency Contact List			
Municipality	**Fire Department**	**Police Department**	**Medical Emergency**
New York State	No non-emergency phone number available	(518) 583-7000	
Saratoga County	No non-emergency phone number available	Saratoga County Sheriff's Department (518) 885-6761	Saratoga Springs Hospital (518) 582-2450 and Clifton Park & Halfmoon Emergency Corps (518) 371-3880
Town of Moreau (South Glens Falls)	South Glens Falls Fire Comp. (518)798-4020	South Glens Falls Police Dept. (518) 792-4173 or (518) 792-6336	Moreau Emergency Squad (518) 793-1455
Town of Corinth	Corinth Vol. Fire Dept. (518) 654-6789	Saratoga County Sheriff's Department (518)885-6761	Corinth Emergency Squad, Inc. (518) 654-7243

Notes:

1. To report an environmental violation - call 1-800-TIPP DEC (1-800-847-7332).
2. To report a chemical or oil spill - call the East Regional Control Center 518-356-6471.

National Grid Spier Falls-Rotterdam New 115kV Transmission Project – Phase II Table A-2 Construction Contact List			
Name	**Title**	**Company/Agency**	**Contact**
Thomas McMahon	Project Manager	National Grid	315-428-5544
Michael King	Project Manager	TRC	315-420-0142
Robert Kellogg	Construction Manager	TRC	315-254-5477
Michael Sherman	Project Environmental Engineer	National Grid	315-428-6624
JT Carroll	Project Transmission Forester	National Grid	518-433-3320
Barbara Sheurer	Division Environmental Engineer (Spill Reporting)	National Grid	518-433-3696
Daniel Butler, P.E.	SWPPP Preparer	TRC	207-621-7061
Matthew Smith, CPESC	Environmental Monitor/ Qualified Inspector	TRC	978-551-5139
David Morrell	Environmental Analyst	DPS	845-341-7425
Beth A. Magee, CPESC	NYSDEC Region 5 Stormwater Contact (Saratoga County) Environmental Engineering Tech 1 NYSDEC, Region 5 232 Golf Course Road Warrensburg, NY 12885 bamagee@gw.dec.state.ny.us	NYSDEC	518-623-1232
Michael Terry	General Foreman/ Trained Contractor	Asplundh Tree Expert Co.	607-692-4711
Steve Campana	District Manager	Harlan Electric Company	508-328-4967
Jim Jones	General Foreman/ Trained Contractor	Harlan Electric Company	978-228-9654
Bill Korpela	Regional Manager	Northern Clearing, Inc.	715-209-1551
Rodney Grubisic	Superintendent/ Trained Contractor	Northern Clearing, Inc.	715-209-6807
Randy Ritchers	Project Manager	New York Drilling Services, Inc.	845-399-1120
Anthony Denier	General Foreman/ Trained Contractor	New York Drilling Services, Inc.	845-399-0456

ATTACHMENT B – CONSTRUCTION GENERAL PERMIT

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT
FOR STORMWATER DISCHARGES

from

CONSTRUCTION ACTIVITY

Permit No. GP-0-10-001

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

Effective Date: January 29, 2010 Expiration Date: January 28, 2015

William R. Adriance
Chief Permit Administrator

William R. Adriance — January 28, 2010
Authorized Signature — Date

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

PREFACE

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

This general permit ("permit") is issued pursuant to Article 17, Titles 7, 8 and Article 70 of the ECL. An *owner or operator* may obtain coverage under this permit by submitting a Notice of Intent ("NOI") to the Department. Copies of this permit and the NOI for New York are available by calling (518) 402-8109 or at any New York State Department of Environmental Conservation ("the Department") regional office (see Appendix G).They are also available on the Department's website at:

http://www.dec.ny.gov/

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

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

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

FROM CONSTRUCTION ACTIVITIES

TABLE OF CONTENTS

Part I. PERMIT COVERAGE AND LIMITATIONS

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

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

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

3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

B. Maintaining Water Quality - It shall be a violation of this permit and the *ECL* for any *discharge* to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

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

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

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

C. Eligibility Under This General Permit

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

2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater discharges from *construction activities*.

(Part I. C)

3. Notwithstanding paragraphs C.1 and C.2 above, the following non-stormwater *discharges* may be authorized by this permit: discharges from fire fighting activities; fire hydrant flushings; waters to which cleansers or other components have not been added that are used to wash vehicles or control dust in accordance with the SWPPP, routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; uncontaminated groundwater or spring water; uncontaminated discharges from construction site de-watering operations; and foundation or footing drains where flows are not contaminated with process materials such as solvents. For those entities required to obtain coverage under this permit, and who discharge as noted in this paragraph, and with the exception of flows from fire fighting activities, these discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with water quality standards in Part I.B.

D. <u>Activities Which Are Ineligible for Coverage Under This General Permit</u> - All of the following are **<u>not</u>** authorized by this permit:

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

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

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

4. *Discharges* from *construction activities* that adversely affect a listed, or proposed to be listed, endangered or threatened species, or its critical habitat;

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

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

    a. are tributary to waters of the state classified as AA or AA-s; and

(Part I. D. 6)

b. disturb one or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.

7. *Construction activities* for linear transportation projects and linear utility projects that:
   a. are tributary to waters of the state classified as AA or AA-s; and

   b. disturb two or more acres of land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey for the County in which the disturbance will occur.

8. *Construction activities* that adversely affect a property that is listed or is eligible for listing on the State or National Register of Historic Places (Note: includes Archeological sites), unless there are written agreements in place with the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) or other governmental agencies to mitigate the effects, or there are local land use approvals evidencing the same.

Part II. OBTAINING PERMIT COVERAGE

A. Notice of Intent (NOI) Submittal

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a *regulated, traditional land use control MS4* must first develop a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the address below in order to be authorized to *discharge* under this permit. The NOI form shall be one which is associated with this permit, signed in accordance with Part VII.H. of this permit.

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

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first develop a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person, and then submit that form along with the NOI to the address referenced under "Notice of Intent (NOI) Submittal".

(Part II. A)

3. This requirement does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.E. (Change of Owner or Operator).

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

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

B. <u>Permit Authorization</u>

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

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

    a. project review pursuant to the State Environmental Quality Review Act (SEQRA) have been satisfied, when SEQRA is applicable,

    b. where required, all necessary Department permits subject to the *Uniform Procedures Act (UPA)* (see 6 NYCRR Part 621) have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators* of *construction activities* that are required to obtain *UPA* permits must submit a preliminary SWPPP to the appropriate DEC Regional Office in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

    c. the final SWPPP has been prepared, and

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

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

(Part II. B. 3)

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

i. Five (5) business days from the date the Department receives a complete NOI for *construction activities* with a SWPPP that has been prepared in conformance with the technical standards referenced in Parts III.B.1, 2 and/or 3, or

ii. Sixty (60) business days from the date the Department receives a complete NOI for *construction activities* with a SWPPP that has not been prepared in conformance with the technical standards referenced in Parts III.B.1, 2 or 3.

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

i. Five (5) business days from the date the Department receives a complete NOI and signed "MS4 SWPPP Acceptance" form,

4. The Department may suspend or deny an *owner's or operator's* coverage under this permit if the Department determines that the SWPPP does not meet the permit requirements.

5. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department.

C. General Requirements For Owners or Operators With Permit Coverage

1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination (NOT) has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4.

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-10-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form and inspection reports at the construction site until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department.

(Part II. C. 2)

The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the MS4 (provided the MS4 is not the *owner or operator* of the construction activity). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

    a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

    b. In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control.

    c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.

    d. The *owner or operator* shall install any additional site specific practices needed to protect water quality.

    e. The *owner or operator* shall include the requirements above in their SWPPP.

4. The Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements.

(Part II. C)

5. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4,* the *owner or operator* shall notify the *MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *MS4* prior to commencing construction of the post-construction stormwater management practice.

D. Permit Coverage for Discharges Authorized Under GP-0-08-001

1. Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-08-001), a*n owner or operator* of *construction activity* with coverage under GP-0-08-001, as of the effective date of GP-0-10-001, shall be authorized to *discharge* in accordance with GP-0-10-001 unless otherwise notified by the Department.

E. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.A.1.. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.

   Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*.

(Part III. A)

2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the pollutants in stormwater discharges and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.

3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.

4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP:

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

    b. whenever there is a change in design, construction, or operation at the construction site that has or could have an effect on the discharge of pollutants; and

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

5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP.

(Part III. A. 6)

The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor.* The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

> "I hereby certify 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 understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings. "

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

8. The SWPPP must include documentation supporting the determination of permit eligibility with regard to Part I.D.8. (Historic Places or Archeological Resource). At a minimum, the supporting documentation shall include the following:

(Part III. A. 8)

a. Information on whether the stormwater discharge or *construction activities* would have an effect on a property (historic or archeological resource) that is listed or eligible for listing on the State or National Register of Historic Places;

b. Results of historic resources screening determinations conducted. Information regarding the location of historic places listed, or eligible for listing, on the State or National Registers of Historic Places and areas of archeological sensitivity that may indicate the need for a survey can be obtained online by viewing the New York State Office of Parks, Recreation and Historic Places (OPRHP) online resources located on their web site at: http://nysparks.state.ny.us/shpo/online-tools/ (using The Geographic Information System for Archeology and National Register). OPRHP can also be contacted at: NYS OPRHP, State Historic Preservation Office, Peebles Island Resources Center, P.O. Box 189, Waterford, NY 12188-0189, phone: 518-237-8643;

c. A description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing, on the State or National Register of Historic Places. If the *owner or operator* fails to describe and implement such measures, the stormwater *discharge* is ineligible for coverage under this permit; and

d. Where adverse effects may occur, any written agreements in place with OPRHP or other governmental agency to mitigate those effects, or local land use approvals evidencing the same.

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control. Where erosion and sediment control practices are not designed in conformance with this technical standard, the *owner or operator* must demonstrate equivalence to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

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

(Part III. B. 1)

b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s), wetlands and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);

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

d. A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;

e. A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;

f. A temporary and permanent soil stabilization plan that meets the requirements of the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;

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

h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;

(Part III. B. 1)

i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6., to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control;

j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater *discharges*;

k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the construction site; and

l. Identification of any elements of the design that are not in conformance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control. 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 standards.

2. Post-construction stormwater management practice component - All construction projects identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the most current version of the technical standard, New York State Stormwater Management Design Manual ("Design Manual"). If the Design Manual is revised during the term of this permit, an *owner or operator* must begin using the revised version of the Design Manual to prepare their SWPPP six (6) months from the final revision date of the Design Manual.

   Where post-construction stormwater management practices are not designed in conformance with this technical standard, the *owner or operator* must demonstrate equivalence to the technical standard.

   At a minimum, the post-construction stormwater management practice component of the SWPPP shall include the following:

   a. Identification of all post-construction stormwater management practices to be constructed as part of the project;

(Part III. B. 2)

b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;

c. The dimensions, material specifications and installation details for each post-construction stormwater management practice;

d. Identification of any elements of the design that are not in conformance with the Design Manual. 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 standards;

e. A hydrologic and hydraulic analysis for all structural components of the stormwater management control system;

f. A detailed summary (including calculations) of the sizing criteria that was used to design all post-construction stormwater management practices. At a minimum, the summary shall address the required design criteria from the applicable chapter of the Design Manual; including the identification of and justification for any deviations from the Design Manual, and identification of any design criteria that are not required based on the design criteria or waiver criteria included in the Design Manual; and

g. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.g. above.

(Part III. C)

C. <u>Required SWPPP Components by Project Type</u> - Unless otherwise notified by the Department, *owners or operators* of *construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1. *Owners or operators* of the *construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3.

Part IV. <u>INSPECTION AND MAINTENANCE REQUIREMENTS</u>

A. <u>General Construction Site Inspection and Maintenance Requirements</u>

1. The *owner or operator* must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times.

2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York, or protect the public health and safety and/or the environment.

B. <u>Owner or Operator Maintenance Inspection Requirements</u>

1. The *owner or operator* shall inspect, in accordance with the requirements in the most current version of the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.

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 *owner or operator* can stop conducting the maintenance inspections. The *owner or operator* shall 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 *owner or operator* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* <u>and</u> all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

(Part IV. C)

C. <u>Qualified Inspector Inspection Requirements</u> - The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- Licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- Registered Landscape Architect, or
- Someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, <u>with the exception of</u>:

    a. the construction of a single family residential subdivision with 25% or less impervious cover at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;

    b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E;

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

    d. construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

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

(Part IV. C. 2)

b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.C.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the Regional Office stormwater contact person (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the MS4 (provided the MS4 is not the *owner or operator* of the construction activity) in writing prior to reducing the frequency of inspections.

d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the Regional Office stormwater contact person (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4,* the MS4 (provided the MS4 is not the *owner or operator* of the construction activity). in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization*, and all temporary, structural erosion and sediment control measures have been removed*;* and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.A.1..

(Part IV. C. 3)

3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of discharge from the construction site.

4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

    a. Date and time of inspection;

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

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

    d. A description of the condition of the runoff at all points of discharge from the construction site. This shall include identification of any *discharges* of sediment from the construction site. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;

    e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;

    f. Identification of all erosion and sediment control practices that need repair or maintenance;

    g. Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;

    h. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;

i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;

j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s); and

k. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.

5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.

6. All inspection reports shall be signed by the *qualified inspector.* Pursuant to Part II.C.2., the inspection reports shall be maintained on site with the SWPPP.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.A.1. The NOT form shall be one which is associated with this general permit, signed in accordance with Part VII.H.

2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:

(Part V. A. 2)

a. Total project completion - All construction activity identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;

b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;

c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.E.

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT, certify that all disturbed areas have achieved *final stabilization;* and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP.

4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall also have the MS4 sign the "MS4 Acceptance" statement on the NOT. The *owner or operator* shall have the principal executive officer, ranking elected official, or duly authorized representative from the *regulated, traditional land use control MS4*, sign the "MS4 Acceptance" statement. The MS4 official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The MS4 can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector's* final site inspection certification(s) required in Part V.3.

5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:

(Part V. A. 5)

a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,

b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),

c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has modified their deed of record to include a deed covenant that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan,

d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION OF RECORDS

A. Record Retention - The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the site achieves *final stabilization*. This period may be extended by the Department, in its sole discretion, at any time upon written notification.

B. Addresses - With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.A.1), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate Department Regional Office listed in Appendix F.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply - The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied.

(Part VII. A)

The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

B. Continuation of the Expired General Permit - This permit expires five (5) years from the effective date. However, coverage may be obtained under the expired general permit, which will continue in force and effect, until a new general permit is issued. Unless otherwise notified by the Department in writing, an *owner or operator* seeking authorization under the new general permit must submit a new NOI in accordance with the terms of such new general permit.

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

D. Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.

E. Duty to Mitigate - The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to minimize or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information - The *owner or operator* shall make available to the Department for review and copying or furnish to the Department within five (5) business days of receipt of a Department request for such information, any information requested for the purpose of determining compliance with this permit. This can include, but is not limited to, the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form, executed maintenance agreement, and inspection reports. Failure to provide information requested by the Department within the request timeframe shall be a violation of this permit.

The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review the NOI, SWPPP or inspection reports. Copying of documents will be done at the requester's expense.

G. Other Information - When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any other report, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s)

changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or impervious area), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. <u>Signatory Requirements</u>

1. All NOIs and NOTs shall be signed as follows:

    a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

        i. a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

        ii. the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

    b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

    c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

        i. the chief executive officer of the agency, or

(Part VII. H. 1. c)

ii. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. or by a duly authorized representative of that person. A person is a duly authorized representative only if:

   a. The authorization is made in writing by a person described in Part VII.H.1.;

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

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

3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4,* or by a duly authorized representative of that person.

   It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. <u>Property Rights</u> - The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity.*

J. <u>Severability</u> - The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

(Part VII. K)
K. <u>Denial of Coverage Under This Permit</u>

1. At its sole discretion, the Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from *owner or operator* receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Regional Water Engineer, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. Any *owner or operator* authorized by this permit may request to be excluded from the coverage under this permit by applying for an individual permit or another general permit. In such cases, the *owner or operator* shall submit an individual application or an alternative general permit application in accordance with the requirements of this general permit, 40 CFR 122.26(c)(1)(ii) and 6 NYCRR Part 621, with reasons supporting the request, to the Department at the address for the appropriate Department Office (see addresses in Appendix F).The request may be granted by issuance of an individual permit or another general permit at the discretion of the Department.

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

L. <u>Proper Operation and Maintenance</u> - The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

M. <u>Inspection and Entry</u> - The *owner or operator* shall allow the Department or an authorized representative of EPA, the State, 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:

(Part VII. M)

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

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

N. Permit Actions - At the Department's sole discretion, this permit may, at any time, be modified, suspended, revoked, or renewed. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions - Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with *construction activity* covered by this permit, the *owner or operator* of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.

2. Permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports – Article 17 of the ECL provides for a civil penalty of $37,500 per day per violation of this permit. Articles 175 and 210 of the New York State Penal Law provide for a criminal penalty of a fine and/or imprisonment for falsifying forms and reports required by this permit.

R. Other Permits – Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.

APPENDIX A

Definitions

Alter Hydrology from Pre to Post-Development Conditions - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer - means a sewer that is designed to collect and convey both "sewage" and "stormwater".

Commence (Commencement of) Construction Activities - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for "Construction Activity(ies)" also.

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

Direct Discharge (to a specific surface waterbody) - means that runoff flows from a construction site by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a construction site to a separate storm sewer system and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

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

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

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

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

Groundwater - means waters in the saturated zone. The saturated zone is a subsurface zone in

which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Impervious Area (Cover) - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

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

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

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

i. Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State*;*
ii. Designed or used for collecting or conveying stormwater;
iii. Which is not a *combined sewer*; and
iv. Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from construction activity.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the construction activity is occurring; and/or an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications.

Pollutant - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in Parts 700 et seq of this Title.

Qualified Inspector - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

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

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is required to gain coverage under New York State DEC's SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s).

Routine Maintenance Activity - means construction activity that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Stream bank restoration projects (does not include the placement of spoil material),
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that makes the transition between the road shoulder and the ditch or embankment,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or embankment,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

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

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

Temporary Stabilization - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

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

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* will be responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

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

APPENDIX B

Required SWPPP Components by Project Type

Table 1
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:

- Single family home not located in one of the watersheds listed in Appendix C and not *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E
- Construction of a barn or other agricultural building, silo, stock yard or pen.

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- Bike paths and trails
- Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project
- Slope stabilization projects
- 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
- Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), excluding projects that *alter hydrology from pre to post development* conditions
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area

The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:

- All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.

Table 2
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other agricultural building(e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's and water treatment plants
- Office complexes
- Sports complexes
- Racetracks, includes racetracks with earthen (dirt) surface
- Road construction or reconstruction
- Parking lot construction or reconstruction
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project , wind-power project, cell tower project, oil or gas well drilling project or other linear utility project
- All other construction activities that include the construction or reconstruction of *impervious area* and *alter the hydrology from pre to post development* conditions, and are not listed in Table 1

APPENDIX C

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed – Figure 4

Figure 1 - New York City Watershed East of the Hudson

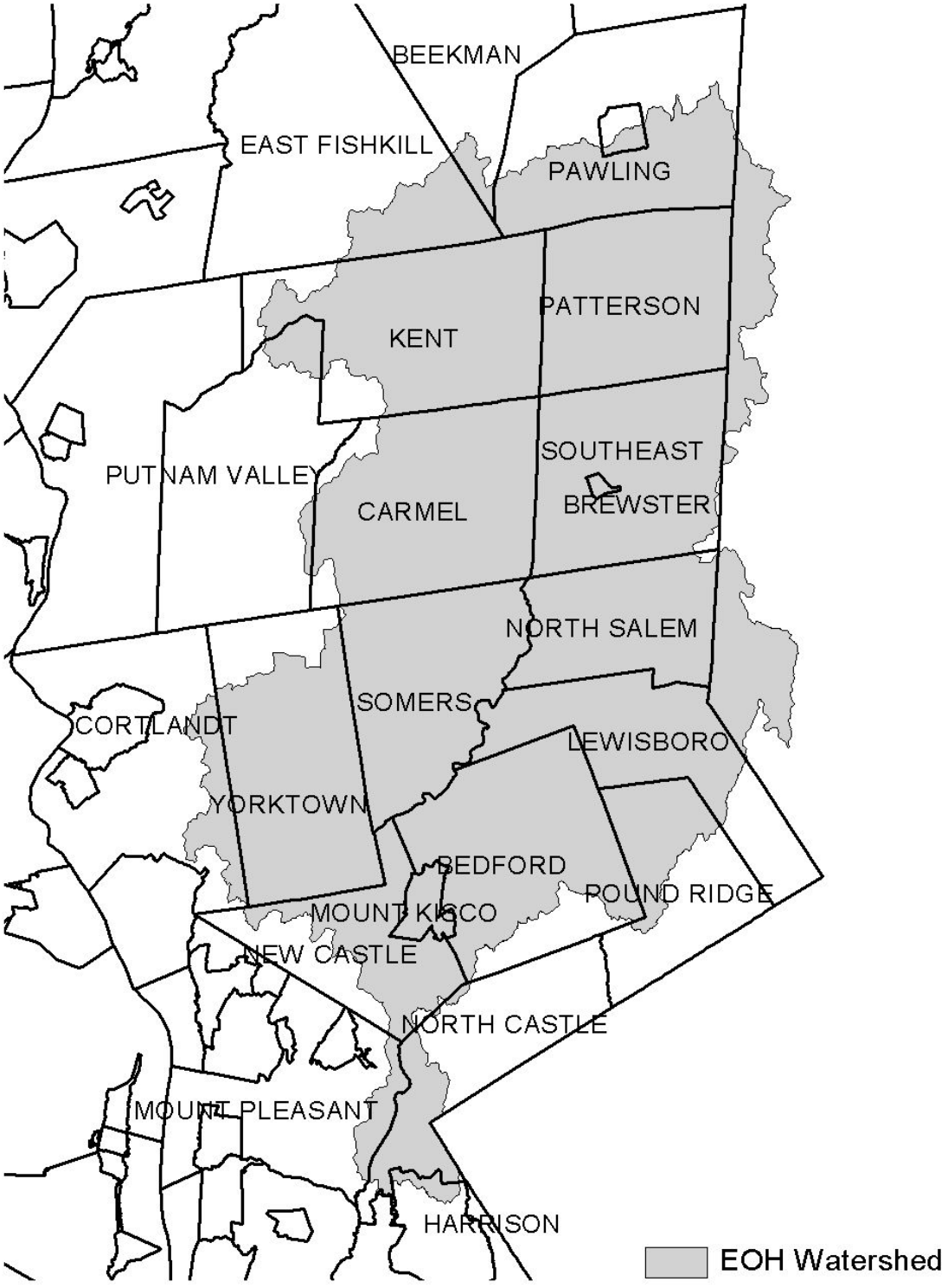
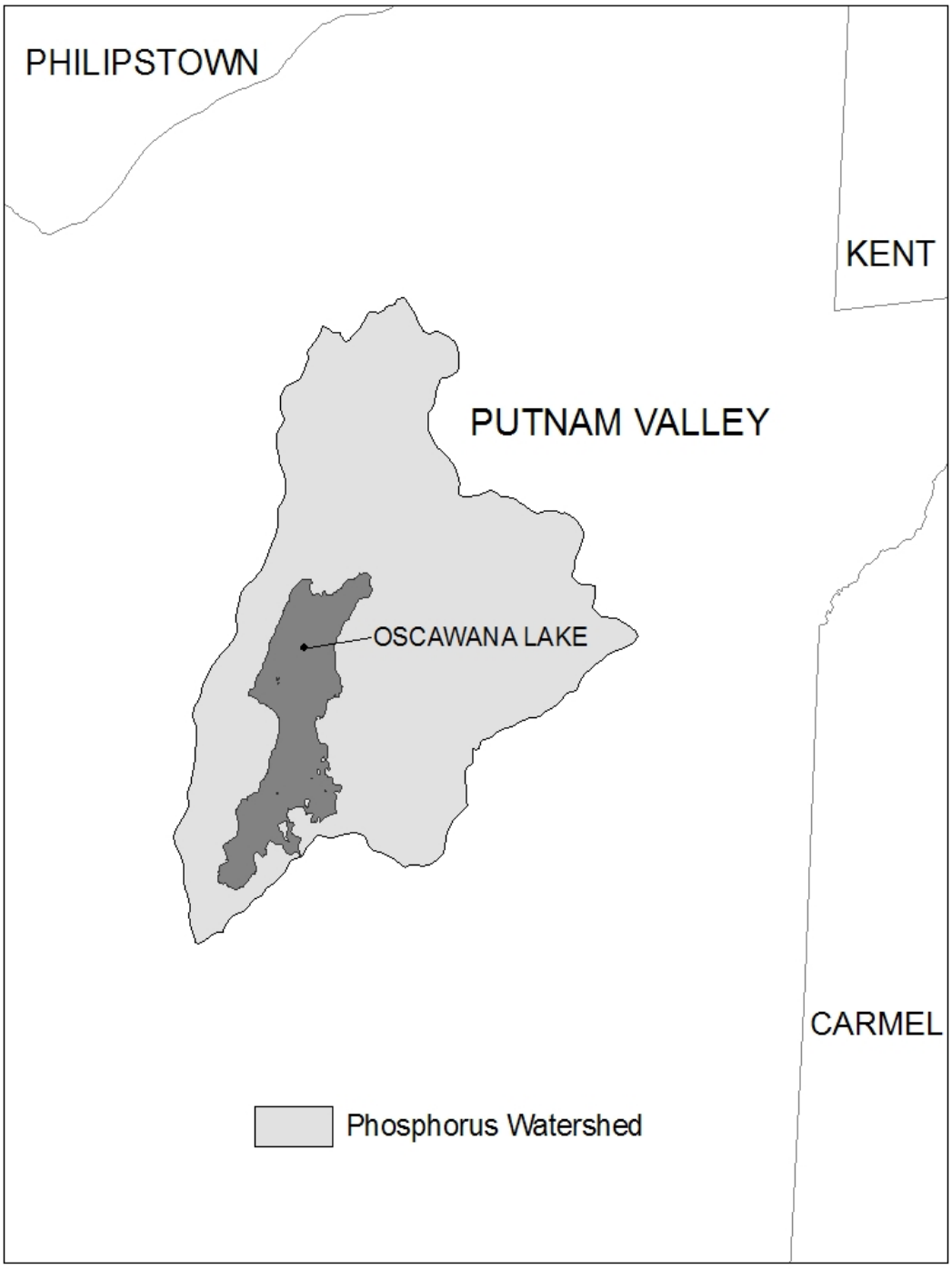


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

Figure 4 - Oscawana Lake Watershed



APPENDIX D

Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity (e.g. silt, sediment or nutrients). *Owners or operators* of single family home and single family residential subdivision construction activities that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the most current version of the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

COUNTY	WATERBODY
Albany	Ann Lee (Shakers) Pond, Stump Pond
Albany	Basic Creek Reservoir
Bronx	Van Cortlandt Lake
Broome	Whitney Point Lake/Reservoir
Broome	Beaver Lake
Broome	White Birch Lake
Chautauqua	Chautauqua Lake, North
Chautauqua	Chautauqua Lake, South
Chautauqua	Bear Lake
Chautauqua	Chadakoin River and tribs
Chautauqua	Lower Cassadaga Lake
Chautauqua	Middle Cassadaga Lake
Chautauqua	Findley Lake
Clinton	Great Chazy River, Lower, Main Stem
Columbia	Kinderhook Lake
Columbia	Robinson Pond
Dutchess	Hillside Lake
Dutchess	Wappinger Lakes
Dutchess	Fall Kill and tribs
Dutchess	Rudd Pond
Erie	Rush Creek and tribs
Erie	Ellicott Creek, Lower, and tribs
Erie	Beeman Creek and tribs
Erie	Murder Creek, Lower, and tribs
Erie	South Branch Smoke Cr, Lower, and tribs
Erie	Little Sister Creek, Lower, and tribs
Essex	Lake George (primary county listed as Warren)
Genesee	Black Creek, Upper, and minor tribs
Genesee	Tonawanda Creek, Middle, Main Stem
Genesee	Tonawanda Creek, Upper, and minor tribs
Genesee	Little Tonawanda Creek, Lower, and tribs
Genesee	Oak Orchard Creek, Upper, and tribs
Genesee	Bowen Brook and tribs
Genesee	Bigelow Creek and tribs
Greene	Schoharie Reservoir
Greene	Sleepy Hollow Lake
Herkimer	Steele Creek tribs
Kings	Hendrix Creek
Lewis	Mill Creek/South Branch and tribs
Livingston	Conesus Lake
Livingston	Jaycox Creek and tribs
Livingston	Mill Creek and minor tribs
Monroe	Genesee River, Lower, Main Stem
Monroe	Genesee River, Middle, Main Stem
Monroe	Black Creek, Lower, and minor tribs
Monroe	Buck Pond
Monroe	Long Pond
Monroe	Cranberry Pond
Monroe	Mill Creek and tribs
Monroe	Shipbuilders Creek and tribs
Monroe	Minor tribs to Irondequoit Bay
Monroe	Thomas Creek/White Brook and tribs
Nassau	Glen Cove Creek, Lower, and tribs
Nassau	LI Tribs (fresh) to East Bay
Nassau	East Meadow Brook, Upper, and tribs
Nassau	Hempstead Bay
Nassau	Hempstead Lake
Nassau	Grant Park Pond
Niagara	Bergholtz Creek and tribs
Oneida	Ballou, Nail Creeks
Onondaga	Ley Creek and tribs
Onondaga	Onondaga Creek, Lower and tribs
Onondaga	Onondaga creek, Middle and tribs
Onondaga	Onondaga Creek, Upper, and minor tribs
Onondaga	Harbor Brook, Lower, and tribs
Onondaga	Ninemile Creek, Lower, and tribs
Onondaga	Minor tribs to Onondaga Lake
Ontario	Honeoye Lake
Ontario	Hemlock Lake Outlet and minor tribs
Ontario	Great Brook and minor tribs
Oswego	Lake Neatahwanta
Putnam	Oscawana Lake
Putnam	Lake Carmel
Queens	Jamaica Bay, Eastern, and tribs (Queens)
Queens	Bergen Basin
Queens	Shellbank Basin
Rensselaer	Snyders Lake
Richmond	Grasmere, Arbutus and Wolfes Lakes
Saratoga	Dwaas Kill and tribs
Saratoga	Tribs to Lake Lonely
Saratoga	Lake Lonely
Saratoga	Schuyler Creek and tribs
Schenectady	Collins Lake

APPENDIX E

List of 303(d) segments impaired by pollutants related to construction activity, cont'd.

COUNTY	WATERBODY	COUNTY	WATERBODY
Schoharie	Engleville Pond		
Schoharie	Summit Lake		
St. Lawrence	Black Lake Outlet/Black Lake		
Steuben	Lake Salubria		
Steuben	Smith Pond		
Suffolk	Millers Pond		
Suffolk	Mattituck (Marratooka) Pond		
Suffolk	Tidal tribs to West Moriches Bay		
Suffolk	Canaan Lake		
Suffolk	Lake Ronkonkoma		
Tompkins	Cayuga Lake, Southern End		
Tompkins	Owasco Inlet, Upper, and tribs		
Ulster	Ashokan Reservoir		
Ulster	Esopus Creek, Upper, and minor tribs		
Warren	Lake George		
Warren	Tribs to L.George, Village of L George		
Warren	Huddle/Finkle Brooks and tribs		
Warren	Indian Brook and tribs		
Warren	Hague Brook and tribs		
Washington	Tribs to L.George, East Shore of Lake George		
Washington	Cossayuna Lake		
Wayne	Port Bay		
Wayne	Marbletown Creek and tribs		
Westchester	Peach Lake		
Westchester	Mamaroneck River, Lower		
Westchester	Mamaroneck River, Upper, and minor tribs		
Westchester	Sheldrake River and tribs		
Westchester	Blind Brook, Lower		
Westchester	Blind Brook, Upper, and tribs		
Westchester	Lake Lincolndale		
Westchester	Lake Meahaugh		
Wyoming	Java Lake		
Wyoming	Silver Lake		

Note: The list above identifies those waters from the final New York State "2008 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy", dated May 26, 2008, that are impaired by silt, sediment or nutrients.

APPENDIX F

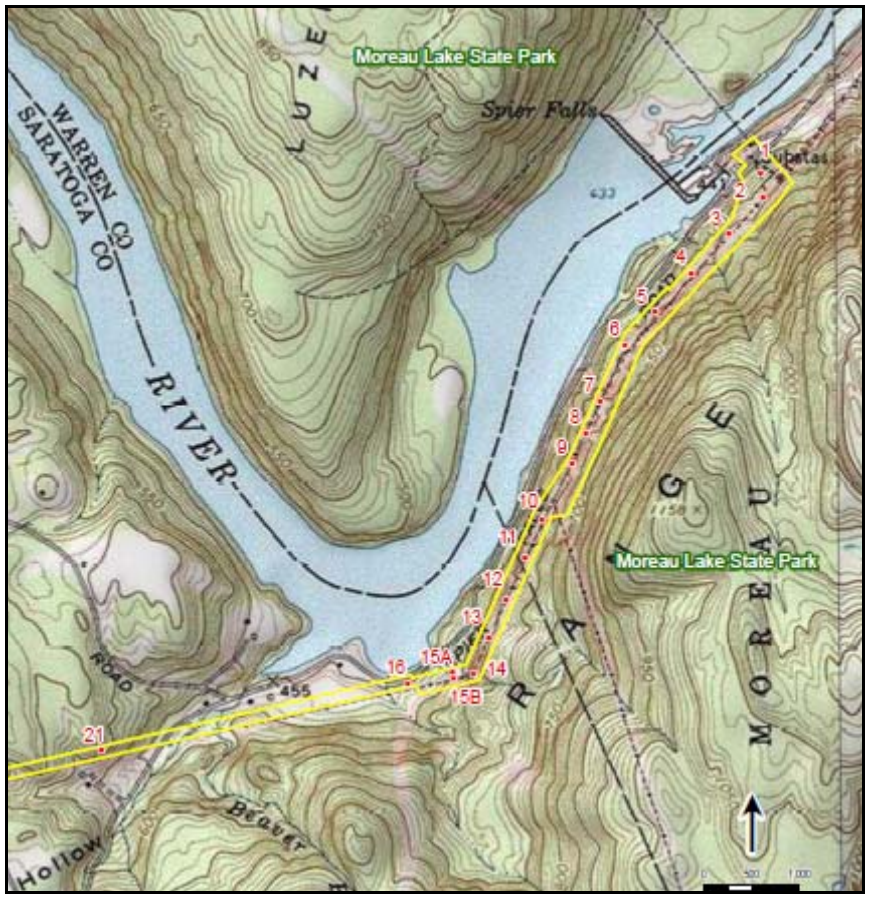
LIST OF NYS DEC REGIONAL OFFICES

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

ATTACHMENT C – INSPECTION REPORT

SPIER FALLS-ROTTERDAM NEW 115kV TRANSMISSION PROJECT
PHASE II SWPPP

SITE PLAN/SKETCH



Date of Inspection: _____

Time on Site: _____AM/PM

Time off Site: _____ AM/PM

Weather: _____

Temp: ____

Soil Conditions: _____ (e.g. dry, wet, saturated)

_____ _____

Qualified Inspector (print name & title) Qualified Inspectors Signature

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

Maintaining Water Quality

Yes	No	NA	
[ ]	[ ]	[ ]	Is there an increase in turbidity causing a substantial visible contrast to natural conditions?
[ ]	[ ]	[ ]	Is there residue from oil and floating substances, visible oil film, or globules or grease?
[ ]	[ ]	[ ]	All disturbance is within the limits of the approved plans.
[ ]	[ ]	[ ]	Have receiving lake, bay, stream, and/or wetland been impacted by silt from project?

Housekeeping

1. General Site Conditions

Yes	No	NA	
[ ]	[ ]	[ ]	Is construction site litter and debris appropriately managed?
[ ]	[ ]	[ ]	Are facilities and equipment necessary for implementation of erosion and sediment control in working order and/or properly maintained?
[ ]	[ ]	[ ]	Is construction impacting the adjacent property?
[ ]	[ ]	[ ]	Is dust adequately controlled?

2. Temporary Stream Crossing

Yes	No	NA	
[ ]	[ ]	[ ]	Maximum diameter pipes necessary to span creek without dredging are installed.
[ ]	[ ]	[ ]	Installed non-woven geotextile fabric beneath approaches.
[ ]	[ ]	[ ]	Is fill composed of aggregate (no earth or soil)?
[ ]	[ ]	[ ]	Rock on approaches is clean enough to remove mud from vehicles & prevent sediment from entering stream during high flow.

Runoff Control Practices

1. Excavation Dewatering

Yes	No	NA	
[ ]	[ ]	[ ]	Upstream and downstream berms (sandbags, inflatable dams, etc.) are installed per plan
[ ]	[ ]	[ ]	Clean water from upstream pool is being pumped to the downstream pool.
[ ]	[ ]	[ ]	Sediment laden water from work area is being discharged to a silt-trapping device.
[ ]	[ ]	[ ]	Constructed upstream berm with one-foot minimum freeboard.

2. Level Spreader

Yes	No	NA	
[ ]	[ ]	[ ]	Installed per plan.
[ ]	[ ]	[ ]	Constructed on undisturbed soil, not on fill, receiving only clear, non-sediment laden flow.
[ ]	[ ]	[ ]	Flow sheets out of level spreader without erosion on downstream edge.

3. Interceptor Dikes and Swales

Yes	No	NA	
[ ]	[ ]	[ ]	Installed per plan with minimum side slopes 2H:1V or flatter.

[ ] [ ] [ ] Stabilized by geotextile fabric, seed, or mulch with no erosion occurring.
[ ] [ ] [ ] Sediment-laden runoff directed to sediment trapping structure

4. Stone Check Dam

Yes No NA
[ ] [ ] [ ] Is channel stable? (flow is not eroding soil underneath or around the structure).
[ ] [ ] [ ] Check is in good condition (rocks in place and no permanent pools behind the structure).
[ ] [ ] [ ] Has accumulated sediment been removed?

5. Rock Outlet Protection

Yes No NA
[ ] [ ] [ ] Installed per plan.
[ ] [ ] [ ] Installed concurrently with pipe installation.

Soil Stabilization

1. Topsoil and Spoil Stockpile

Yes No NA
[ ] [ ] [ ] Stockpiles are stabilized with vegetation and/or mulch.
[ ] [ ] [ ] Sediment control is installed at the toe of the slope.

2. Revegetation

Yes No NA
[ ] [ ] [ ] Temporary seedings and mulch have been applied to idle areas.
[ ] [ ] [ ] 4 inches minimum of topsoil has been applied under permanent seedings.

Sediment Control

1. Stabilized Construction Entrance

Yes No NA
[ ] [ ] [ ] Stone is clean enough to effectively remove mud from vehicles.
[ ] [ ] [ ] Installed per standards and specifications?
[ ] [ ] [ ] Does all traffic use the stabilized entrance to enter and leave site?
[ ] [ ] [ ] Is adequate drainage provided to prevent ponding at entrance?

2. Silt Fence

Yes No NA
[ ] [ ] [ ] Installed on Contour, 10 feet from toe of slope (not across conveyance channels).
[ ] [ ] [ ] Joints constructed by wrapping the two ends together for continuous support.
[ ] [ ] [ ] Fabric buried 6 inches minimum.
[ ] [ ] [ ] Posts are stable, fabric is tight and without rips or frayed areas.

Sediment accumulation ____% of design capacity.

3. Storm Drain Inlet Protection (Use for Stone & Block; Filter Fabric; Curb; or, Excavated practices)

Yes	No	NA	
[ ]	[ ]	[ ]	Installed concrete blocks lengthwise so open ends face outward, not upward.
[ ]	[ ]	[ ]	Placed wire screen between No.3 crushed stone and concrete blocks.
[ ]	[ ]	[ ]	Drainage area is 1 acre or less.
[ ]	[ ]	[ ]	Excavated area is 900 cubic feet.
[ ]	[ ]	[ ]	Excavated side slopes should be 2:1.
[ ]	[ ]	[ ]	2"x 4"frame is constructed and structurally sound.
[ ]	[ ]	[ ]	Posts 3-foot maximum spacing between posts.
[ ]	[ ]	[ ]	Fabric is embedded 1 to 1.5 feet below ground and secured to frame/posts with staples at max 8-inchs pacing.
[ ]	[ ]	[ ]	Posts are stable, fabric is tight and without rips or frayed areas.

Sediment accumulation ____% of design capacity.

4. Temporary Sediment Trap

Yes	No	NA	
[ ]	[ ]	[ ]	Outlet structure is constructed per the approved plan or drawing.
[ ]	[ ]	[ ]	Geotextile fabric has been placed beneath rock fill.

Sediment accumulation ____% of design capacity.

5. Temporary Sediment Basin

Yes	No	NA	
[ ]	[ ]	[ ]	Basin and outlet structure constructed per the approved plan.
[ ]	[ ]	[ ]	Basin side slopes are stabilized with seed/mulch.
[ ]	[ ]	[ ]	Drainage structure flushed and basin surface restored upon removal of sediment basin facility.

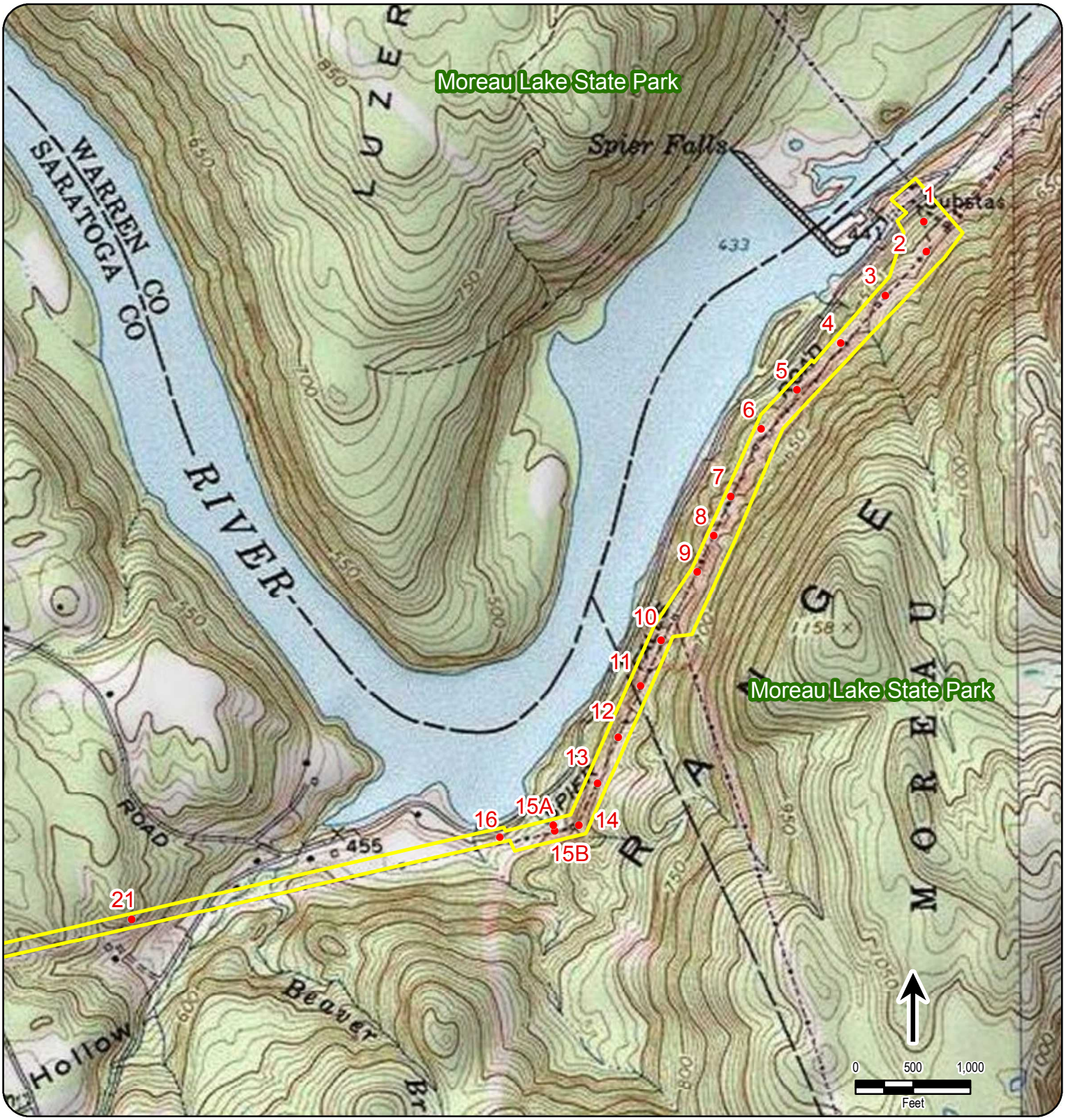
Sediment accumulation ____% of design capacity.

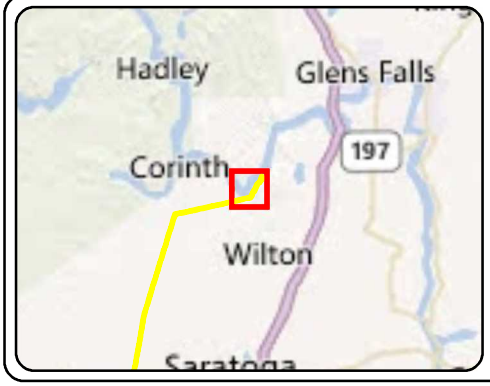
Note: Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site specific design.

Construction inspection checklists for post-development stormwater management practices can be found in Appendix F of the New York Stormwater Management Design Manual.

Action Items and Additional Comments:

ATTACHMENT D – FIGURES





Legend

- Project Limits
- Proposed Structures

nationalgrid

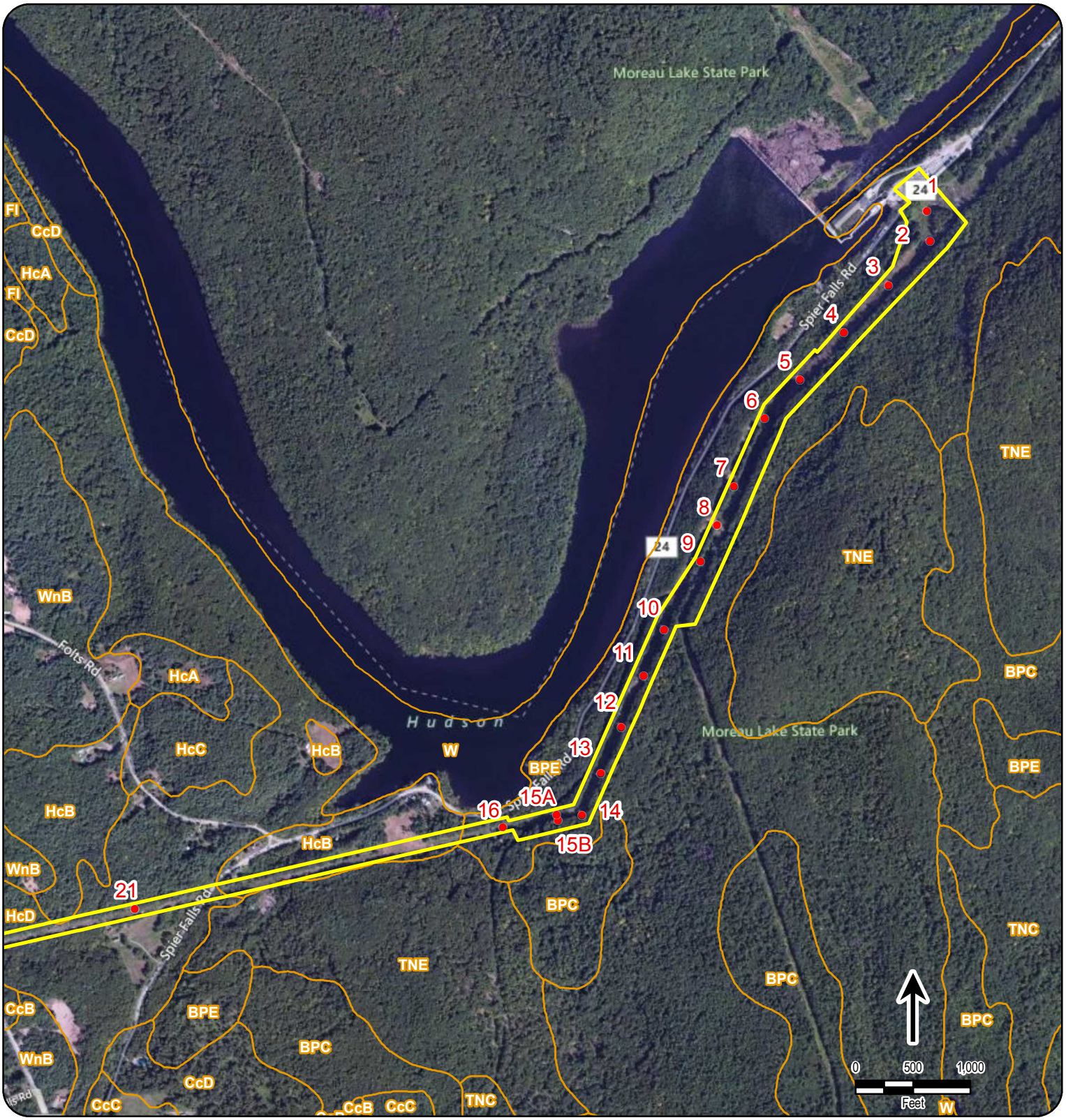
Spiers Falls-Rotterdam Project

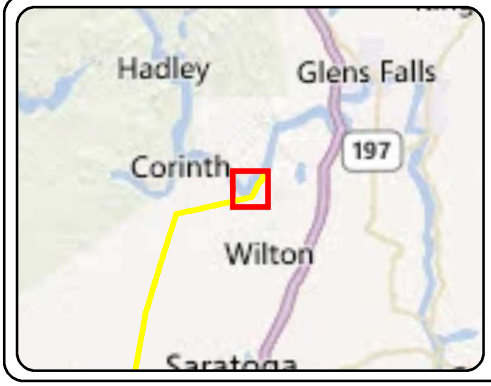
Phase II SWPPP

Figure 1

Project Location Map

Map Created by TRC on: 3/26/2012





Legend

- Project Limits
- Soils
- Proposed Structures

nationalgrid

Spiers Falls-Rotterdam Project

Phase II SWPPP

Figure 2

USDA NRCS Soils Map

Map Created by TRC on: 3/26/2012

Legend

- Project Limits
- Timber Disposal Site
- Approximate Parcel Boundary

nationalgrid

Spiers Falls-Rotterdam Project

Phase II SWPPP

Figure 3

Timber Disposal Site

Map Created by TRC on: 4/2/2012

ATTACHMENT E – AMENDMENTS TO THE SWPPP

AMENDMENTS TO STORMWATER POLLUTION PREVENTION PLAN

The Owner/Operator shall have a qualified professional amend the SWPPP when one or more of the following occur:

- whenever the current provisions prove to be ineffective in minimizing pollutants in stormwater *discharges* from the site;
- 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
- to address issues or deficiencies identified during an inspection by the *qualified inspector*, the Department or other regulatory authority.

The following information should also be documented in this section:

- Dates when major grading activities occur;
- Dates when construction activities temporarily or permanently cease on a portion of the Project site; and
- Dates when stabilization measures (temporary and permanent) are initiated.

AMENDMENTS TO STORMWATER POLLUTION PREVENTION PLAN

Date	Person Amending SWPPP (Name and Title)	Page(s), Figure(s), or Plan(s) Where Amendments Made	Details of Amendment (e.g., Proposed BMPs)

AMENDMENTS TO STORMWATER POLLUTION PREVENTION PLAN

Date	Person Amending SWPPP (Name and Title)	Page(s), Figure(s), or Plan(s) Where Amendments Made	Details of Amendment (e.g., Proposed BMPs)

ATTACHMENT F – SWPPP TRAINING DOCUMENTATION

ATTACHMENT F – SWPPP TRAINING DOCUMENTATION

The following individuals have received Stormwater Pollution Prevention Plan (SWPPP) training as described below:

Date of Training:_____

Personnel Conducting the Training:_____

Location of Training:_____

Description of Training or Plan Review: _____

_____

_____

List of Attendees:

Name	Signature	Date

ATTACHMENT G – NOTICE OF INTENT

0669273036

NOTICE OF INTENT

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

NYR _____
(for DEC use only)

Stormwater Discharges Associated with Construction Activity Under State Pollutant Discharge Elimination System (SPDES) General Permit # GP-0-10-001

All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this General Permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan prior to submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

-IMPORTANT-
RETURN THIS FORM TO THE ADDRESS ABOVE

OWNER/OPERATOR MUST SIGN FORM

Owner/Operator Information

Owner/Operator (Company Name/Private Owner Name/Municipality Name)
Niagara Mohawk Power, dba National Grid

Owner/Operator Contact Person Last Name (NOT CONSULTANT)
Sherman

Owner/Operator Contact Person First Name
Michael

Owner/Operator Mailing Address
Environmental C-1, 300 Erie Blvd West

City
Syracuse

State
NY

Zip
13202-

Phone (Owner/Operator)
315 422 6624

Fax (Owner/Operator)
315 428 5549

Email (Owner/Operator)
michael.sherman@us.ngrid.com

FED TAX ID
15 0255555 (not required for individuals)

Project Site Information

Project/Site Name
Spier Falls-Rotterdam - Phase II

Street Address (NOT P.O. BOX)

Side of Street
○ **North** ○ **South** ○ **East** ○ **West**

City/Town/Village (THAT ISSUES BUILDING PERMIT)

State NY Zip - County Saratoga DEC Region 5

Name of Nearest Cross Street
Spier Falls Road

Distance to Nearest Cross Street (Feet)
0

Project In Relation to Cross Street
○ **North** ○ **South** ○ **East** ○ **West**

Tax Map Numbers
Section-Block-Parcel

Tax Map Numbers

1. Provide the Geographic Coordinates for the project site in NYTM Units. To do this you **must** go to the NYSDEC Stormwater Interactive Map on the DEC website at:

www.dec.ny.gov/imsmaps/stormwater/viewer.htm

Zoom into your Project Location such that you can accurately click on the centroid of your site. Once you have located your project site, go to the tool boxes on the top and choose "i"(identify). Then click on the center of your site and a new window containing the X, Y coordinates in UTM will pop up. Transcribe these coordinates into the boxes below. For problems with the interactive map use the help function.

X Coordinates (Easting) 600740

Y Coordinates (Northing) 4778665775511

2. What is the nature of this construction project?

● **New Construction**

○ **Redevelopment with increase in imperviousness**

○ **Redevelopment with no increase in imperviousness**

3. Select the predominant land use for both pre and post development conditions.
SELECT ONLY ONE CHOICE FOR EACH

Pre-Development Existing Land Use	Post-Development Future Land Use
○ FOREST	○ SINGLE FAMILY HOME
○ PASTURE/OPEN LAND	○ SINGLE FAMILY SUBDIVISION
○ CULTIVATED LAND	○ TOWN HOME RESIDENTIAL
○ SINGLE FAMILY HOME	○ MULTIFAMILY RESIDENTIAL
○ SINGLE FAMILY SUBDIVISION	○ INSTITUTIONAL/SCHOOL
○ TOWN HOME RESIDENTIAL	○ INDUSTRIAL
○ MULTIFAMILY RESIDENTIAL	○ COMMERCIAL
○ INSTITUTIONAL/SCHOOL	○ MUNICIPAL
○ INDUSTRIAL	○ ROAD/HIGHWAY
○ COMMERCIAL	○ RECREATIONAL/SPORTS FIELD
○ ROAD/HIGHWAY	○ BIKE PATH/TRAIL
○ RECREATIONAL/SPORTS FIELD	● LINEAR UTILITY (water, sewer, gas, etc.)
○ BIKE PATH/TRAIL	○ PARKING LOT
● LINEAR UTILITY	○ CLEARING/GRADING ONLY
○ PARKING LOT	○ DEMOLITION, NO REDEVELOPMENT
○ OTHER	○ OTHER

Number of Lots

4. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law ? ○ **Yes** ● **No**

5. Is this a project which does not require coverage under the General Permit (e.g. Project done under an Individual SPDES Permit, or department approved remediation)? ○ **Yes** ● **No**

6. Is this property owned by a state authority, state agency or local government? ○ **Yes** ● **No**

7. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area. Round to the nearest tenth of an acre.

Total Site Acreage	Acreage To Be Disturbed	Existing Impervious Area Within Disturbed	Future Impervious Area Within Disturbed
41.421.2	10.130.3 *	0.80.8	2.32.3

8. Do you plan to disturb more than 5 acres of soil at any one time? ● **Yes** ○ **No**

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

A	B	C	D
100 %	0 %	0 %	0 %

*The Project also includes 12 acres of forest clearing without grubbing

10. Is this a phased project? ○ Yes ● No

11. Enter the planned start and end dates of the disturbance activities. **Start Date** 06/01/2012 - **End Date** 10/31/2012

12. Identify the nearest, natural, surface waterbody(ies) to which construction site runoff will discharge.

Name: Hudson River and minor tributaries

12a. Type of waterbody identified in Question 12?

- ○ Wetland / State Jurisdiction On Site (Answer 12b)
- ○ Wetland / State Jurisdiction Off Site
- ○ Wetland / Federal Jurisdiction On Site (Answer 12b)
- ○ Wetland / Federal Jurisdiction Off Site
- ● Stream / Creek On Site
- ○ Stream / Creek Off Site
- ○ River On Site
- ● River Off Site
- ○ Lake On Site
- ○ Lake Off Site
- ○ Other Type On Site
- ○ Other Type Off Site

12b. How was the wetland identified?

- ○ Regulatory Map
- ○ Delineated by Consultant
- ○ Delineated by Army Corps of Engineers
- ○ Other (identify)

13. Has the surface waterbody(ies) in question 12 been identified as a 303(d) segment in Appendix E of GP-0-10-001? ○ Yes ● No

14. Is this project located in one of the Watersheds identified in Appendix C of GP-0-10-001? ○ Yes ● No

15. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? **If no, skip question 16.** ○ Yes ● No

16. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? ○ Yes ● No

If Yes, what is the acreage to be disturbed?

[ ][ ][ ][ ].[ ]

17. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? ○ Yes ● No

18. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? ○ Yes ○ No ● Unknown

(If No, skip question 19)

19. What is the name of the municipality/entity that owns the separate storm sewer system?

20. Does any runoff from the site enter a sewer classified as a Combined Sewer? ○ Yes ○ No ● Unknown

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book) ? ● Yes ○ No

22. Does this construction activity require the development of a SWPPP that includes Water Quality and Quantity Control components (Post-Construction Stormwater Management Practices) ● Yes ○ No

(If No, skip questions 23 and 27-35)

23. Have the Water Quality and Quantity Control components of the SWPPP been developed in comformance with the current NYS Stormwater Management Design Manual ? ● Yes ○ No

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:

- (●) **Professional Engineer (P.E.)**
- ( ) **Soil and Water Conservation District (SWCD)**
- ( ) **Registered Landscape Architect (R.L.A)**
- ( ) **Certified Professional in Erosion and Sediment Control (CPESC)**
- ( ) **Owner/Operator**
- ( ) **Other**

SWPPP Preparer
TRC

Contact Name (Last, Space, First)
Butler, Daniel

Mailing Address
249 Western Ave

City
Augusta

State
ME

Zip
04330-

Phone
207-621-7061

Fax
866-803-6923

Email
dbutler@trcsolutions.com

SWPPP Preparer Certification

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-10-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

STATE OF NEW YORK DANIEL T. BUTLER #079800 LICENSED PROFESSIONAL ENGINEER

First Name
DANIEL

MI
T

Last Name
BUTLER

Signature

Date
04/10/2012

25. Has a construction sequence schedule for the planned management practices been prepared? ● Yes ○ No

26. Select **all** of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

- ● Check Dams
- ○ Construction Road Stabilization
- ● Dust Control
- ○ Earth Dike
- ○ Level Spreader
- ○ Perimeter Dike/Swale
- ○ Pipe Slope Drain
- ○ Portable Sediment Tank
- ○ Rock Dam
- ○ Sediment Basin
- ○ Sediment Traps
- ● Silt Fence
- ● Stabilized Construction Entrance
- ○ Storm Drain Inlet Protection
- ● Straw/Hay Bale Dike
- ○ Temporary Access Waterway Crossing
- ○ Temporary Stormdrain Diversion
- ○ Temporary Swale
- ○ Turbidity Curtain
- ● Water bars

Biotechnical

- ○ Brush Matting
- ○ Wattling

Vegetative Measures

- ○ Brush Matting
- ○ Dune Stabilization
- ○ Grassed Waterway
- ● Mulching
- ○ Protecting Vegetation
- ○ Recreation Area Improvement
- ● Seeding
- ○ Sodding
- ○ Straw/Hay Bale Dike
- ○ Streambank Protection
- ○ Temporary Swale
- ○ Topsoiling
- ○ Vegetating Waterways

Permanent Structural

- ○ Debris Basin
- ○ Diversion
- ○ Grade Stabilization Structure
- ○ Land Grading
- ○ Lined Waterway (Rock)
- ○ Paved Channel (Concrete)
- ○ Paved Flume
- ○ Retaining Wall
- ● Riprap Slope Protection
- ● Rock Outlet Protection
- ○ Streambank Protection

Other

turf reinforcement mats

Water Quality and Quantity Control

Important: Completion of Questions 27-35 is not required if response to Question 22 is No.

Post-Construction Stormwater Management Practices

27. Indicate **all** Stormwater Management Practice(s) that will be installed/constructed on this site:

Ponds
- ○ **Micropool Extended Detention (P-1)**
- ○ **Wet Pond (P-2)**
- ○ **Wet Extended Detention (P-3)**
- ○ **Multiple Pond System (P-4)**
- ○ **Pocket Pond (P-5)**

Filtering
- ○ **Surface Sand Filter (F-1)**
- ○ **Underground Sand Filter (F-2)**
- ○ **Perimeter Sand Filter (F-3)**
- ○ **Organic Filter (F-4)**
- ○ **Bioretention (F-5)**
- ○ **Other**

Alternative Practice
- ○ **Rain Garden**
- ○ **Cistern**
- ○ **Green Roof**
- ○ **Stormwater Planters**
- ○ **Permeable Paving (Modular Block)**

Wetlands
- ○ **Shallow Wetland (W-1)**
- ○ **Extended Detention Wetland (W-2)**
- ○ **Pond/Wetland System (W-3)**
- ○ **Pocket Wetland (W-4)**

Infiltration
- ● **Infiltration Trench (I-1)**
- ○ **Infiltration Basin (I-2)**
- ○ **Dry Well (I-3)**
- ○ **Underground Infiltration System**

Open Channels
- ○ **Dry Swale (O-1)**
- ○ **Wet Swale (O-2)**

Verified Proprietary Practice
- ○ **Hydrodynamic**
- ○ **Wet Vault**
- ○ **Media Filter**

28. Describe other stormwater management practices not listed above or explain any deviations from the technical standards.

A linear roadside infiltration trench is proposed due to site constraints

29. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed? ● **Yes** ○ **No**

If Yes, Identify the entity responsible for the long term Operation and Maintenance

National Grid

30. Provide the total water quality volume required and the total provided for the site.

WQv Required 0.1414 **acre-feet**

WQv Provided 0.2025 **acre-feet**

31. Provide the following Unified Stormwater Sizing Criteria for the site.

Total Channel Protection Storage Volume (CPv) - Extended detention of post-developed 1 year, 24 hour storm event

CPv Required **acre-feet**

CPv Provided **acre-feet**

31a. The need to provide for channel protection has been waived because:

○ **Site discharges directly to fourth order stream or larger**

x Post-development runoff is not anticipated to exceed pre-development

Total Overbank Flood Control Criteria (Qp) - Peak discharge rate for the 10 year storm

Pre-Development **CFS**

Post-development **CFS**

Total Extreme Flood Control Criteria (Qf) - Peak discharge rate for the 100 year storm

Pre-Development **CFS**

Post-development **CFS**

31b. The need to provide for flood control has been waived because:

○ **Site discharges directly to fourth order stream or larger**

○ **Downstream analysis reveals that flood control is not required**

x Post-development runoff is not anticipated to exceed pre-development

IMPORTANT: For questions 31 and 32, impervious area should be calculated considering the project site and all offsite areas that drain to the post-construction stormwater management practice(s). (Total Drainage Area = Project Site + Offsite areas)

32. Pre-Construction Impervious Area - As a percent of the Total Drainage Area enter the percentage of the existing impervious areas before construction begins. 0%

33. Post-Construction Impervious Area - As a percent of the Total Drainage Area, enter the percentage of the future impervious areas that will be created/remain on the site after completion of construction. 0%

34. Indicate the total number of post-construction stormwater management practices to be installed/constructed. 1

35. Provide the total number of stormwater discharge points from the site. (include discharges to either surface waters or to separate storm sewer systems) 14

36. Identify other DEC permits that are required for this project.

DEC Permits

○ Air Pollution Control	○ Navigable Waters Protection / Article 15
○ Coastal Erosion	● Water Quality Certificate via Article VII
○ Hazardous Waste	○ Dam Safety
○ Long Island Wells	○ Water Supply
○ Mined Land Reclamation	○ Freshwater Wetlands/Article 24
○ Other SPDES	○ Tidal Wetlands
○ Solid Waste	○ Wild, Scenic and Recreational Rivers
○ None	○ Stream Bed or Bank Protection / Article 15

● Other

Article VII of NYS PSL

37. Does this project require a US Army Corps of Engineers Wetland Permit? ● Yes ○ No

If Yes, Indicate Size of Impact. 0.1 <0.01 acres

38. Is this project subject to the requirements of a regulated, traditional land use control MS4? ○ Yes ● No

(If No, skip question 39)

39. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI? ○ Yes ○ No

40. If this NOI is being submitted for the purpose of continuing coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned. NYR

Owner/Operator Certification

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

Print First Name PHILIP **MI** B

Print Last Name GEORGE

Owner/Operator Signature

Date 04 / 12 / 2012

ATTACHMENT H – NYSDEC ACKNOWLEDGEMENT OF RECEIPT OF NOI