

TOWN OF NEWBURGH PLANNING BOARD TECHNICAL REVIEW COMMENTS

PROJECT NAME:ATHBOY ROAD 4-LOT SUBDIVISIONPROJECT NO.:24-36PROJECT LOCATION:SECTION 8, BLOCK 1, LOT 105REVIEW DATE:29 MAY 2025MEETING DATE:5 JUNE 2025PROJECT REPRESENTATIVE:CHRIS TERRIZZI,P.E. - CM TERRIZZI ENGINEERING, PLLC

- 1. In response to the Lead Agency circulation the New York State Office of Parks, Recreation Historic Preservation requested supplemental information. The applicant's representative submitted line of site drawings, as well as photographs documenting existing trees and screening from the Gomez Mill House. The Office of Parks, Recreation Historic Preservation issued a no adverse impact letter on 16 April 2025.
- 2. The New York State Department of Environmental Conservation issued a response to the Lead Agency determination identifying a work window from April 1st to November 30th, on the project site to reduce impacts to over wintering Bald Eagles. Notes should be added to the plans.
- Submission to County Planning is required. County Planning responded to the lead agency circulation, however no SWPPP and other information was available for a complete application. A 239 submission to County Planning is required due to the proximity to the municipal boundary. It is also noted, the Town of Marlborough must be notified of any Public Hearing.
- 4. A SWPPP is under review by this office.
- 5. A Tree Preservation Survey has been performed. The Tree Preservation Survey was performed in the area including the limits of disturbance. Even within the limits of disturbance the project is under a threshold requiring any mitigation or restitution. Substantial number of trees exist outside the 4.5+/- acre area of disturbance on the 19-acre parcel.
- 6. Common driveway and Access Maintenance Agreements are required.
- 7. We have reviewed the septic system separation distances identified in the County Planning referral on Lot 1. The well is located outside the drainage course of the subsurface sanitary sewer disposal system. The more than 110-foot separation depicted complies with the Appendix 75A due to the topographic ridge which is located between the septic system and the well.

NEW YORK OFFICE

PENNSYLVANIA OFFICE

Respectfully submitted, **MHE Engineering, D.P.C.**

Patient & Atomes

Patrick J. Hines Principal

PJH/kmm

Mich W Werk

, Michael W. Weeks, P.E. Principal



April 16, 2025

Patrick Hines MHE Engineering 33 Airport Center Drive New Windsor, NY 12553

Re: DEC Athboy Road Four Lot Subdivision Orange County, NY 25PR00486

Dear Patrick Hines:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the materials submitted in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We have reviewed the sightline profiles and typical proposed elevation drawing submitted to our office on March 19, 2024. Based upon our review, it is OPRHP's opinion that the proposed work will have No Adverse Impact on historic resources.

If you have any questions, feel free to call me at (518) 818-4592.

Sincerely,

astly Baritys

Ashley Barrett Historic Site Restoration Coordinator Ashley.barrett@parks.ny.gov

cc: B. Sherman, MHE Engineering

via e-mail only



AMANDA LEFTON Acting Commissioner

VIA EMAIL

May 19, 2025

Chris Terrizzi 11 Terrizzi DR Wallkill, NY 12589

Re: GID-003608 Article 11 Threatened and Endangered Species Athboy Subdivision Town of Newburgh, Orange County

Jurisdictional Determination

Dear Chris Terrizzi,

The New York State Department of Environmental Conservation (DEC or Department) received the project materials for 4-lot residential subdivision located at Athboy Road, in the Town of Newburgh, Orange County, on March 31, 2025. This request specifically inquires whether a permit pursuant to Article 11 (Threatened and Endangered Species) of the Environmental Conservation Law would be required for the proposed project.

Article 11 Threatened and Endangered Species Bald eagle (*Haliaeetus leucocephalus*) (Threatened)

Non-breeding Bald Eagles have been documented in proximity to the project location. Impacts to this species should be assessed following the Conservation Plan for Bald Eagles York State New in (https://www.dec.ny.gov/docs/wildlife pdf/nybaldeagleplan.pdf). related lf project impacts cannot be fully avoided or minimized, a permit for incidental take may be needed. The acceptable work window that would not result in any impacts to nonbreeding eagles in the area would be April 1st to November 30th. For work proposed outside of this window, additional information is needed including when construction activities are proposed to take place, the duration of those activities, what equipment would be used, noise levels from construction and operational activities as compared to ambient noise levels.

Re: GID-003608 Article 11 Threatened and Endangered Species Athboy Subdivision Town of Newburgh, Orange County

Other

Be aware of the following additional DEC jurisdictions:

SPDES Sanitary

Discharges of wastewater to surface water and groundwater are regulated and may require a permit. A discharge is regulated if it includes any pollutant, including sewage, industrial by-product, and heat from coolant systems. All discharges to surface waters require a permit. All discharges of industrial pollutants require a permit. Industrial pollutants include agriculture-related by-products from brewing, distilling, canning, and silage. Sewage discharges to groundwater do not require a SPDES permit if they are less than 1,000 gallons per day: residencies of less than 5 bedrooms will not require a permit. For more information. please visit https://dec.ny.gov/regulatory/permitslicenses/wastewater-stormwater-water-withdrawal/spdes-permit-program. If you have a question which cannot be answered using information from the website, please contact the Division of Water at DOW.R3@dec.ny.gov.

Please be advised that, prior to construction of any new or modified waste disposal system for a discharge authorized under a SPDES permit, the permittee must submit to DEC an approvable engineering report, plans, and specifications prepared by NYS-licensed engineer and developed in accordance with standards accepted by the Department. Please submit a complete Application for Approval of Plans for a Wastewater Disposal System along with the design documents to DOW.R3@dec.ny.gov. Copies of this Application for Approval of Plans form must be requested from the Division of Water via email.

SPDES Construction

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Re: GID-003608 Article 11 Threatened and Endangered Species Athboy Subdivision Town of Newburgh, Orange County

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <u>https://dec.ny.gov/environmental-protection/water/water-quality/stormwater</u>. For questions, please contact the Division of Water at <u>DOW.R3@dec.ny.gov</u>.

For construction permits, this site is within an MS4 area. The stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department.

Please contact me if you have questions regarding the above information.

Sincerely,

Tiernan Darcy Division of Environmental Permits Region 3, Telephone No. (845) 256-3809 Tiernan.Darcy@dec.ny.gov

STORMWATER POLLUTION PREVENTION PLAN W/ EROSION & SEDIMENT CONTROLS

ATHBOY 4-LOT SUBDIVISION OF SBL 8-1-105 for SANSTORM HOLDING INC

TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

PREPARED BY

Christopher Terrizzi, PE



11 Terrizzi Drive Wallkill, NY 12589

November 5, 2024 Revised May 22, 2025

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APPENDIX A: SOILS MAP

APPENDIX B: NOI

APPENDIX C: PRE-CONSTRUCTION SITE ASSESSMENT CHECKLIST

APPENDIX D: CONTRACTOR & SUB-CONTRACTOR CERTIFICATION STATEMENTS

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1.0 **Project Overview**

The Athboy Subdivision project site is 19.10 acres located in the Town of Newburgh as Section 8 Block 1 Lot 105.

The project proposes to subdivide the parcel into four separate lots and construct four new individual private homes, including driveways, wells and septic systems. Two common driveways are proposed to service the lots from the existing Athboy Road culde-sac.

Based on the proposed subdivision plan, it is estimated that the total area of disturbance for the proposed construction is approximately \pm 4.02 acres. The proposed impervious ground cover percentage is 3.80%, an increase from the 0% currently on the property. In accordance with the NYSDEC Stormwater General Permit (GP 0-25-001) for stormwater discharge, single family residential subdivisions with less than 5 acres of disturbance are required to prepare a Stormwater Pollution Prevention plan (SWPPP) that only includes erosion and sediment controls.

2.0 Existing Conditions & Soils

The existing site is wooded. The topography generally consists of a plateau of approximately elevation 250 feet that runs southwest to northeast in the center of the lot. There is an existing exposed rock outcrop to the west of the cul-de-sac. There are no wetlands or other water bodies on the property.

The U.S.D.A. Natural Resources Conservation Service soil survey shows soils at the project site include primarily the following:

Soil Name	Symbol	Percent of Parcel	Hydrologic Soil Group
Farmington silt loam, sloping	FAC	61.6%	D
Pittsfield gravelly loam, 3-8% slopes	PtB	28.9%	В
Rock outcrop-Farmington complex	RMD	4.6%	D
Mardin gravelly silt loam,8-15% slopes	MgB	3.1%	D

Erosion and sediment control measures are shown on plan sheet 3. The following general measures shall be implemented:

- a. Soil disturbances shall be minimized in both area and duration.
- b. Disturbed areas shall be stabilized as soon as final grades are accomplished.
- c. Plan sheet 4 identifies the limits of disturbance, silt fence locations, topsoil stockpile locations and rolled erosion control product locations. Sheet 4 also contains sequencing notes for the proposed construction. The following general practices shall be implemented:
 - 1. Clearing limits shall be staked prior to any soil disturbances.
 - Silt fence shall be installed at locations shown on the plans and shall be maintained in good condition and repaired or replaced as necessary.
 - Stabilized construction entrances shall be installed at locations shown on the plans to eliminate the tracking of sediment onto public streets.
 - 4.
 - 5. Seeding and mulching is necessary to stabilize final grades.
 - 6. Soil stabilization shall be implemented within fourteen (14) days after soil disturbance completion.

4.0 Good Housekeeping & Material Management Practices

The following good housekeeping and material management practices shall be Followed during construction to reduce the risk of spills or exposure of materials to stormwater runoff: 1. The minimum quantity of materials required shall be brought on site and shall be

stored in an orderly manner in their original labeled containers.

2. Material disposal shall meet all manufacturer's recommendations and federal, state,

county and local regulations.

Petroleum products:

1. Fuels, oils & chemicals shall be stored in appropriate and tightly closed containers. In the event of a spill, it shall be contained and cleaned up immediately in accordance with all federal, state, county and local regulations.

Spills in excess of reportable quantities shall be reported to the NYSDEC as

soon as it is discovered.

2. All vehicles on site shall be regularly inspected and maintained to prevent leaks.

Fertilizers & Paint:

- 1. Fertilizers shall be stored in original water-tight containers away from stormwater discharges.
- 2. Any spills or contamination of runoff with fertilizers shall be immediately contained, collected, cleaned up, and disposed of in accordance with Federal, State, County and Local regulations.

Sanitary Waste Facilities:

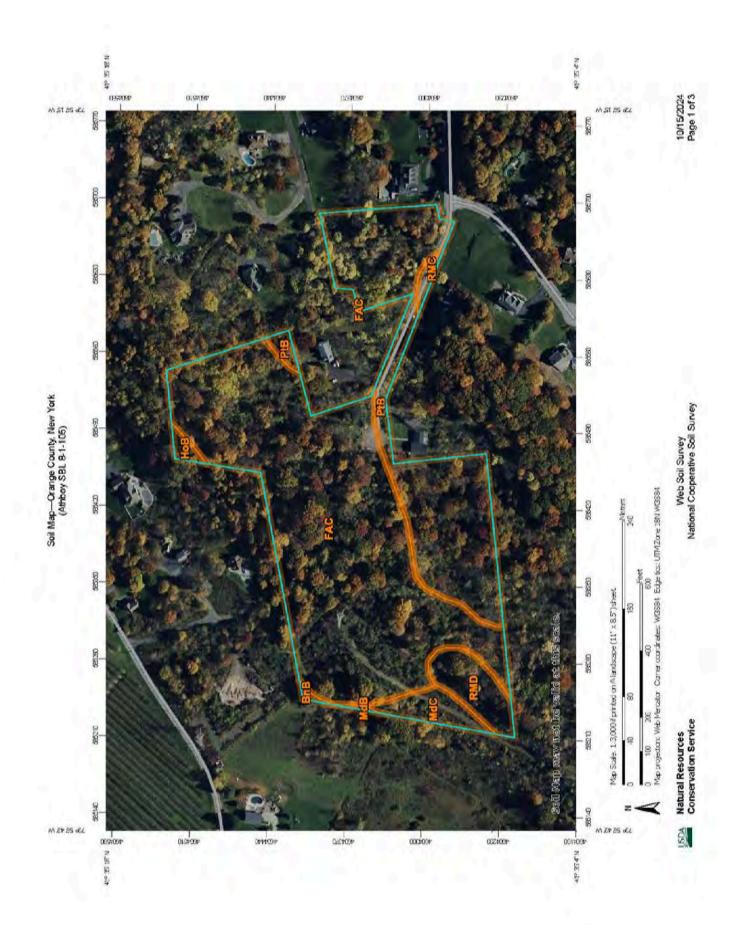
 Should portable sanitary units be located on-site, they shall be placed in upland areas away from direct contact with surface waters. They shall be serviced and cleaned on a weekly basis by a licensed portable toilet and septic disposal service. Any spills occurring during service shall be cleaned up immediately and disposed of in accordance with Federal, State.

County, and Local regulations.

Concrete Trucks:

1. Concrete trucks shall only wash out at designated washout locations.





Sol Map—Orange County New York (Athboy SBL 8-1-105)

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Spoil Area	Stony Spot	Very Story Spat	West Spot	Other	Special Line Features	ures	Streams and Canada	Bon Raits	Interstete Highways	US Routes	Major Roach	Local Roads	P	Aenal Protography										
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Area of Interest (AOI)	Area of Interest (AOI)	Coll Marcillo Enhance	Soi Map Unit Lines	Roll Man Fine Doing		Blowout	Borrow Pd	Clay Spot	Closed Depression	Gravel P.t.	Gravely Spot	Landes	Lave Flow	Marsh or seamp	Mine or Quarry	Miscellaneous Water	Personial Water	Redit Outerap	Safne Spot	Sandy Spot	Severely Eroded Spot-	Smikhole	Slide or Sip	Socie Spot
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(0/15/2024 Page 2 of 3

Web Soil Survey Malionel Cooperative Soil Survey

UNDA Natural Resources Conservation Service

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BnB	Bath-Nassau channery silt loams, 3 to 8 percent slopes	0.0	0.2%
FAC	Farmington silt loam, sloping	11.1	61.6%
НоВ	Hoosic gravelly sandy loam, 3 to 8 percent slopes	0,1	0.7%
MdB	Mardin gravelly silt loam, 3 to 8 percent slopes	0.0	0.2%
MdC	Mardin gravelly silt loam, 8 to 0.6 15 percent slopes		3.1%
PtB	Pittsfield gravelly loam, 3 to 8 percent slopes		28.9%
RMC Rock outcrop-Farmington complex, rolling		0,1	0.7%
RMD	Rock outcrop-Farmington complex, hilly	0,8	4.6%
Totals for Area of Interest		18.0	100.0%

Map Unit Legend

Soil Map-Orange County, New York



APPENDIX B

NOTICE OF INTENT (NOI)

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

version 1.10

(Submission #: HQA-HADS-Z8XVJ, version 1)

Details

Submitted 5/19/2025 (3 days ago) by Christopher Terrizzi

Alternate Identifier Athboy Rd 4-Lot subdivision—Region 3

Submission ID HQA-HADS-Z8XVJ

Status Deemed Complete

NOTE (CREATED) SPDES Permit ID

NYR11P530 Created on 5/22/2025 10:35 AM by **John Muthersbaugh**

Form Input

Eligibility

Disturbance Threshold

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

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

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

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

Other SPDES Permits

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

Yes

Threatened and Endangered Species

3. Will the construction activity potentially adversely affect a species that is endangered or threatened per Part I.A.3.? No

State Historic Preservation Act (SHPA)

4. Is the construction activity designated by the Commissioner of the Office of Parks, Recreation and Historic Preservation (OPRHP), pursuant to 9 NYCRR §§428.12 or 428.13 as exempt from the SHPA review (see Attachment 2 of the Letter of Resolution between NYSDEC and OPRHP, dated January 9, 2015)?

No

4.a. Will the construction activity:

- a) occur within an archeologically sensitive area indicated on the sensitivity map, or
- b) have the potential to affect a property that is listed or determined to be eligible for listing on the Na or State Registers of Historic Places, or

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

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

Yes

4.a.i. Have the impacts to historic properties been resolved? Yes

4.a.i.1. Which of the following documentation will be maintained at the construction site?

c) Documentation that SHPA Section 14.09 has been completed by NYSDEC or another state agency

State Environmental Quality Review (SEQR)

5. Is the construction activity subject to SEQR (Part I.A.5.), or the equivalent environmental review from another NYS or federal agency (Part I.A.6.)? Yes

5.a. Has the owner/operator obtained documentation that the project review pursuant to SEQR, or the equivalent, has been satisfied per Part I.A.5. or I.A.6. of GP-0-25-001? Yes

Uniform Procedures Act (UPA) Permits

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

Steep Slope

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

Owner/Operator Information

8. Owner/Operator Name

Sanstorm Holding Inc

9. Owner/Operator Contact Person Information

First and Last Name	Phone	E-mail
Peter Rabasco	917-531-1282	westsidednd@gmail.com

10. Owner/Operator Mailing Address

PO Box 804 Marlboro, NY 12542 USA

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

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

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

12.b.i. Department of State ID # 5217566

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

Site Information

13. Project/Site Name Athboy Rd 4-Lot subdivision

14. Site Address

Athboy Road Newburgh, NY 12542 Orange **DEC Region** 3

15. Site Latitude & Longitude 41.58625419022328,-73.97448572467623

Project Details

16. This eNOI submission is for:

A construction activity not part of a common plan of development or sale in accordance with Part I.D.1.a.

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

Table 1

18. Consistent with Part III.B.1.c.i. of GP-0-25-001, provide a concise overview of the project. Describe existing and proposed conditions, and include any other relevant information. 4-lot residential subdivision of a wooded lot, served by individual on-site septic & wells.

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

19. Total Site Area (acres) 19.1

20. Total Area to be Disturbed (acres) 3.9

21. Existing Impervious Area to be Disturbed (acres)

0.0

22. Future Impervious Area Within Disturbed Area (acres) 0.7

Nature of the project: New Construction

23. Do you plan to disturb more than 5 acres of soil at any one time? $\ensuremath{\mathsf{No}}$

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

A (%) 0 B (%) 28 C (%)

õ`

D (%) 72

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

Start Date 04/01/2025

_ . _ .

End Date 12/31/2026

26. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge. Existing stormwater retention pond

27. Type of waterbody identified in question 26? Other Type Off Site

Other Waterbody Type Off Site Description Existing stormwater retention pond

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

No

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

30. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area? No

31. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)? Yes

31.a. What is the name of the municipality/entity that owns the separate storm sewer system? If the separate sewer system is owned by an MS4 Operator, enter the MS4 Operator name. Privately owned

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

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

Required SWPPP Components

General SWPPP Requirements

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

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

Yes

36. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?

Yes

SWPPP Preparer

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

40. Name of the person who prepared the SWPPP

Christopher Terrizzi

41. SWPPP Preparer Organization Name

C.M. Terrizzi Engineering, PLLC

42. SWPPP Preparer Contact Information

First and Last Name	Phone	E-mail
Christopher Terrizzi	845-239-2020	cmterrizzi@gmail.com

43. SWPPP Preparer Address

11 Terrizzi Drive Wallkill, NY 12589

Download SWPPP Preparer Certification Form

Please take the following steps to prepare and upload your preparer certification form:

1) Click on the link below to download a blank certification form

2) The certified SWPPP preparer should sign this form

3) Upload the completed form

Download SWPPP Preparer Certification Form

44. Please upload the SWPPP Preparer Certification

appf_swppcertform.pdf - 02/20/2025 12:14 AM Comment NONE PROVIDED

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

Erosion & Sediment Control Criteria

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

Other Permits

56. Identify other permits, existing and new, that are required for this project/facility. None

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

MS4 SWPPP Acceptance

59. Will the construction activities be within the municipal boundary(ies) of Traditional Land Use Control MS4 Operator(s) and discharge to the MS4(s)? No

Owner/Operator Certification

Owner/Operator Certification Form Download

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

61. Upload Owner/Operator Certification Form

appj_operatorcertform.pdf - 02/20/2025 12:17 AM Comment NONE PROVIDED

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

Yes

Additional Project Information

62. Enter any additional pertinent project information in the text box below.

The project site is in proximity to non-breeding Bald eagles. The proposed work window will be between April 1 and November 30 to not impact the eagles as per jurisdictional determination letter GID-003608 dated May 19, 2025.

Attachments

Date Attachment Name		Context	User
5/19/2025 11:03 PM	Letter of Authorization.pdf	Generated Document	Christopher Terrizzi
2/20/2025 12:17 AM	appj_operatorcertform.pdf	Attachment	Christopher Terrizzi
2/20/2025 12:14 AM	appf_swppcertform.pdf	Attachment	Christopher Terrizzi

Status History

	User	Processing Status
2/19/2025 9:08:22 PM	Christopher Terrizzi	Draft

	User	Processing Status
5/19/2025 11:03:57 PM	Christopher Terrizzi	Submitted
5/19/2025 11:04:00 PM	Christopher Terrizzi	Deemed Complete
5/22/2025 10:35:40 AM	John Muthersbaugh	In Review
5/22/2025 10:36:05 AM	John Muthersbaugh	Deemed Complete

Audit

Event	Event Description	Event By	Event Date
Letter of	The Letter of Authorization document has been generated and is available for download.	Christopher	5/19/2025
Authorization		Terrizzi	11:03 PM

Processing Steps

Step Name	Assigned To/Completed By	Date Completed
Form Submitted	Christopher Terrizzi	5/19/2025 11:03:57 PM
Issue SPDES Permit ID	John Muthersbaugh	5/22/2025 10:36:05 AM

APPENDIX C

PRE-CONSTRUCTION SITE ASSESSMENT CHECKLIST

I. PRE-CONSTRUCTION MEETING DOCUMENTS

Project Name	
Permit No.	Date of Authorization
Name of Operator	
Prime Contractor	

a. Preamble to Site Assessment and Inspections

The Following Information To Be Read By All Person's Involved in The Construction of Stormwater Related Activities:

The Operator agrees to have a qualified inspector¹ conduct an assessment of the site prior to the commencement of construction² and certify in this inspection report that the appropriate erosion and sediment controls described in the SWPPP have been adequately installed or implemented to ensure overall preparedness of the site for the commencement of construction.

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

When construction starts, site inspections shall be conducted by the qualified inspector at least every 7 calendar days. The Operator shall maintain a record of all inspection reports in this site logbook. The site log- book shall be maintained on site and be made available to the permitting authorities upon request.

Prior to filing the Notice of Termination or the end of permit term, the Operator shall have a qualified inspector perform a final site inspection. The qualified inspector shall certify that the site has undergone final stabilization³ using either vegetative or structural stabilization methods and that all temporary erosion and sediment controls (such as silt fencing) not needed for long-term erosion control have been removed. In addition, the Operator must identify and certify that all permanent structures described in the SWPPP have been constructed and provide the owner(s) with an operation and maintenance plan that ensures the structure(s) continuously functions as designed.

 Refer to "Qualified Inspector" inspection requirements in the current SPDES General Permit for Stormwater Discharges from Construction Activity for complete list of inspection requirements.
 "Commencement of construction" means the initial removal of vegetation and disturbance of soils associated with clearing, grading or excavating activities or other construction activities.
 "Final stabilization" means that all soil-disturbing activities at the site have been completed and a uniform, perennial vegetative cover with a density of eighty (80) percent has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed on all unpaved areas and areas not covered by permanent struc- tures.

b. Pre-construction Site Assessment Checklist

(NOTE: Provide comments below as necessary)

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

Yes No NA

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

Yes No NA

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

Yes No NA

[] [] Clean stormwater runoff has been diverted from areas to be disturbed.

[] [] Bodies of water located either on site or in the vicinity of the site have been identified and protected.

- [] [] Appropriate practices to protect on-site or downstream surface water are installed.
- [] [] Are clearing and grading operations divided into areas <5 acres?
 - 4. Stabilized Construction Access

Yes No NA

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

Yes No NA

- [] [] Silt fence material and installation comply with the standard drawing and
- specifications. [] [] [] Silt fences are installed at appropriate spacing intervals

[] [] [] Sediment/detention basin was installed as first land disturbing activity.

[] [] Sediment traps and barriers are installed.

6. Pollution Prevention for Waste and Hazardous Materials

Yes No NA

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

APPENDIX D

CONTRACTOR & SUB-CONTRACTOR CERTIFICATION STATEMENTS

CONTRACTOR CERTIFICATION STATEMENT

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

Contractor:

Name: Signature: Title: Company Name: Company Address: Company Phone Number: Site Address: Specific SWPPP Responsibilities:

Date of Certification: Name and Title of Trained Contractor for SWPPP Implementation:_____

SUB-CONTRACTOR CERTIFICATION STATEMENT

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

Sub-Contractor:

Name: Signature: Title: Company Name: Company Address: Company Phone Number: Site Address: Specific SWPPP Responsibilities:

Date of Certification: Name and Title of Trained Contractor for SWPPP Implementation:______

APPENDIX E

SWPPP INSPECTION FORM

a. Directions:

Inspection Forms will be filled out during the entire construction phase of the project.

Required Elements:

- On a site map, indicate the extent of all disturbed site areas and drainage pathways. Indicate site areas that are expected to undergo initial disturbance or significant site work within the next 14-day period;
- 2) Indicate on a site map all areas of the site that have undergone temporary or permanent stabilization;
- Indicate all disturbed site areas that have not undergone active site work during the previous 14-day period;
- Inspect all sediment control practices and record the approximate degree of sediment accumulation as a percentage of sediment storage volume (for example, 10 percent, 20 percent, 50 percent);
- 5) Inspect all erosion and sediment control practices and record all maintenance requirements such as verifying the integrity of barrier or diversion systems (earthen berms or silt fencing) and containment systems (sediment basins and sediment traps). Identify any evidence of rill or gully erosion occurring on slopes and any loss of stabilizing vegetation or seeding/mulching. Document any excessive deposition of sediment or ponding water along barrier or diversion systems. Record the depth of sediment within containment structures, any erosion near outlet and overflow structures, and verify the ability of rock filters around perforated riser pipes to pass water; and
- 6) Immediately report to the Operator any deficiencies that are identified with the implementation of the SWPPP.

CONSTRUCTION DURATION INSPECTIONS	Page 1 of
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SITE PLAN/SKETCH

Inspector (print name)

Date of Inspection

Qualified Inspector (print name) Qualified Inspector 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 at the outfalls?
- [][] Is there residue from oil and floating substances, visible oil film, or globules or grease at the outfalls?
- [] [] [] 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, debris and spoils appropriately managed?
- [] [] Are facilities and equipment necessary for implementation of erosion and sediment 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.
- 3. Stabilized Construction Access

Yes No NA

- [] [] Stone is clean enough to effectively remove mud from
- [] [] Installed per standards and specifications?
- [] [] Does all traffic use the stabilized entrance to enter and
- [] [] Is adequate drainage provided to prevent ponding at

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.

Page 3 of _____

Runoff Control Practices (continued)

2. Flow 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 Stockpiles

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

Page 4 of _____

Sediment Control Practices

1. Silt Fence and Linear Barriers

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 is _____% of design capacity.

2. Storm Drain Inlet Protection (Use for Stone & Block; Filter Fabric; Curb; or, Excavated; Filter Sock or Manufactured 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 1acre 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- inch spacing.
- [] [] Posts are stable, fabric is tight and without rips or frayed areas.
- [] [] Manufactured insert fabric is free of tears and

punctures.

- [][] Filter Sock is not torn or flattened and fill material is contained within the
- mesh sock. Sediment accumulation ____% of design capacity.

3. 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 trap slopes and disturbed areas are

stabilized. Sediment accumulation is ___% of design capacity.

Page 5 of _____

4. 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 basin dewatering pool is dewatering at appropriate rate.

Sediment accumulation is _____% of design capacity.

<u>Note</u>: Not all erosion and sediment control practices are included in this listing. Add additional pages to this list as required by site specific design. All practices shall be maintained in accordance with their respective standards.

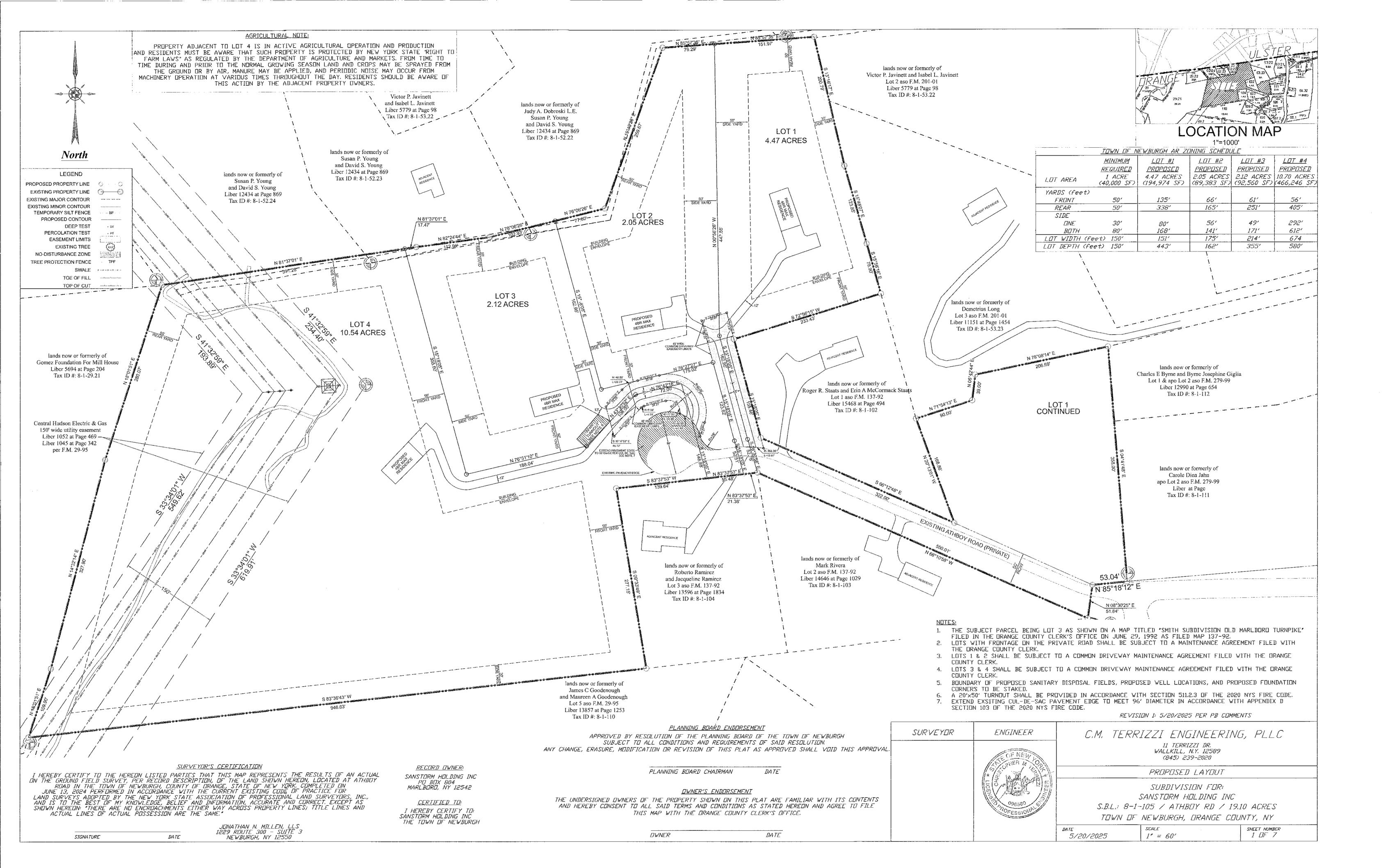
Construction inspection checklists for post-development stormwater management practices can be found in Appendix F of the New York Stormwater Management Design Manual.

b. Modifications to the SWPPP (To be completed as described below)

The Operator shall amend the SWPPP whenever:

- 1. There is a significant change in design, construction, operation, or maintenance which may have a significant effect on the potential for the discharge of pollutants to the waters of the United States and which has not otherwise been addressed in the SWPPP; or
- 2. The SWPPP proves to be ineffective in:
 - a. Eliminating or significantly minimizing pollutants from sources identified in the SWPPP and as required by this permit; or
 - b. Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity; and
- 3. Additionally, the SWPPP shall be amended to identify any new contractor or subcontractor that will implement any measure of the SWPPP.

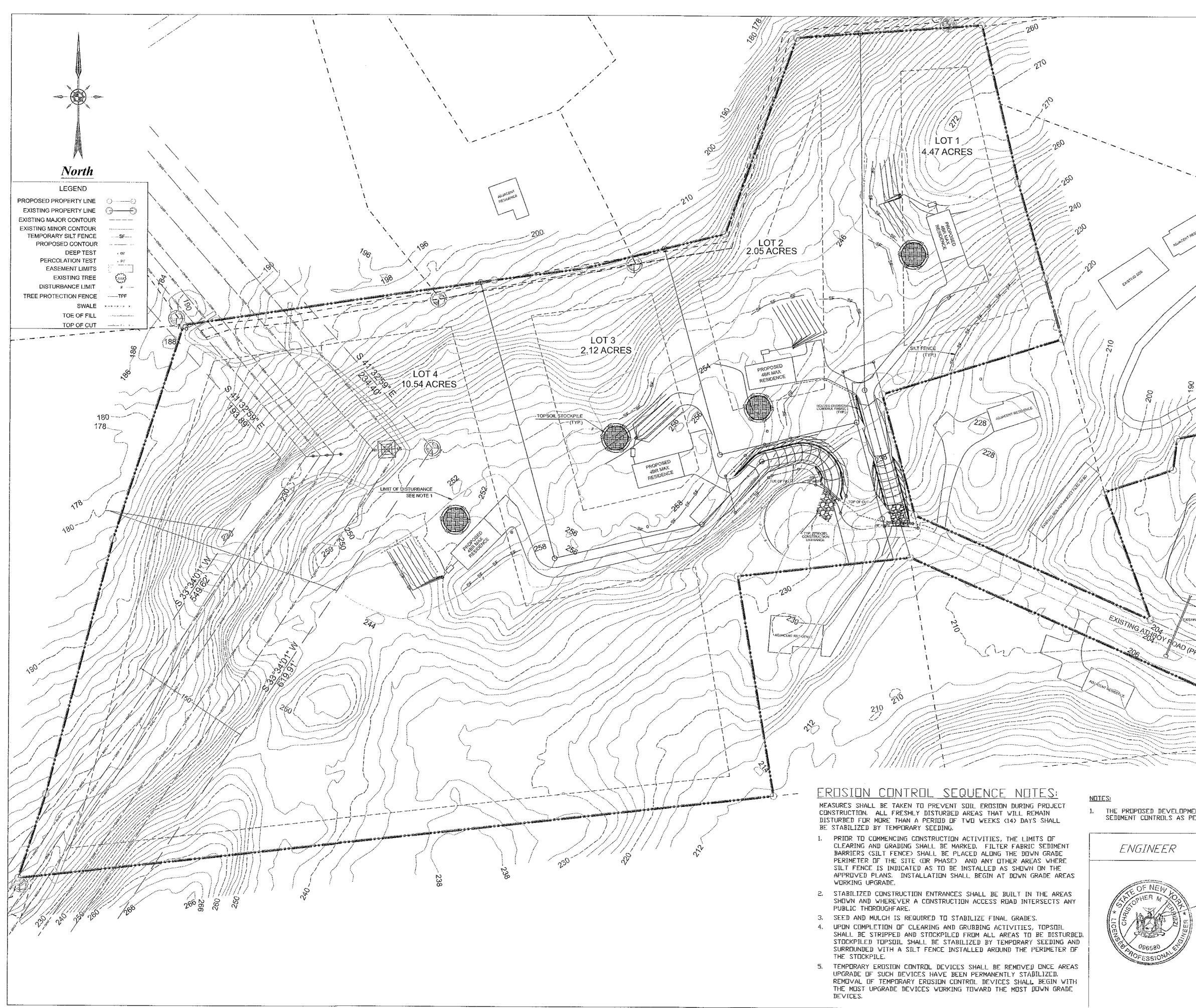
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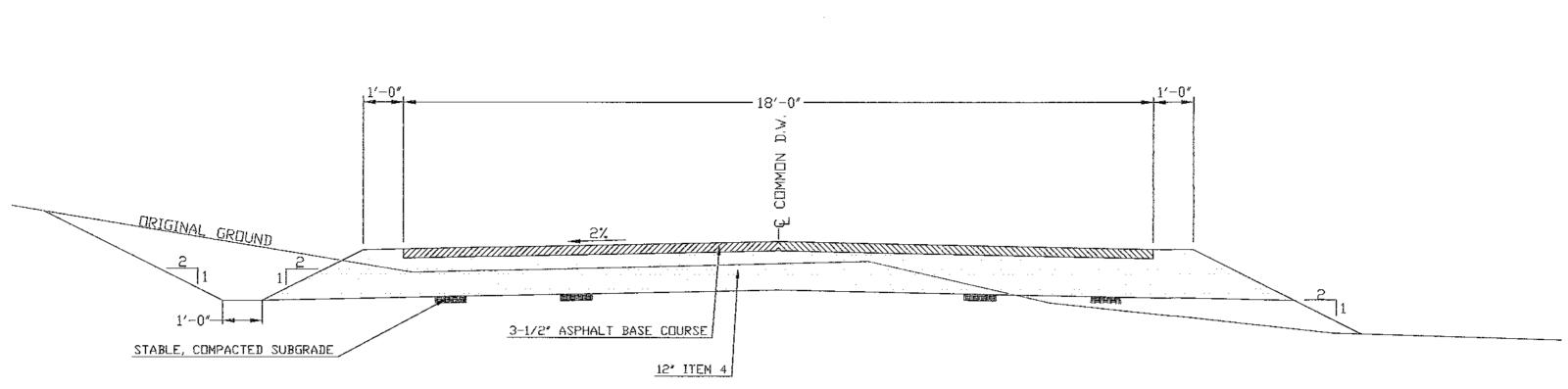
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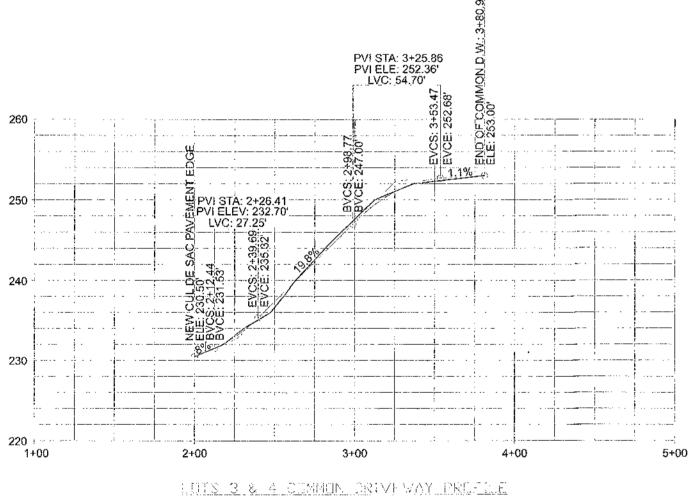




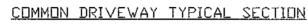
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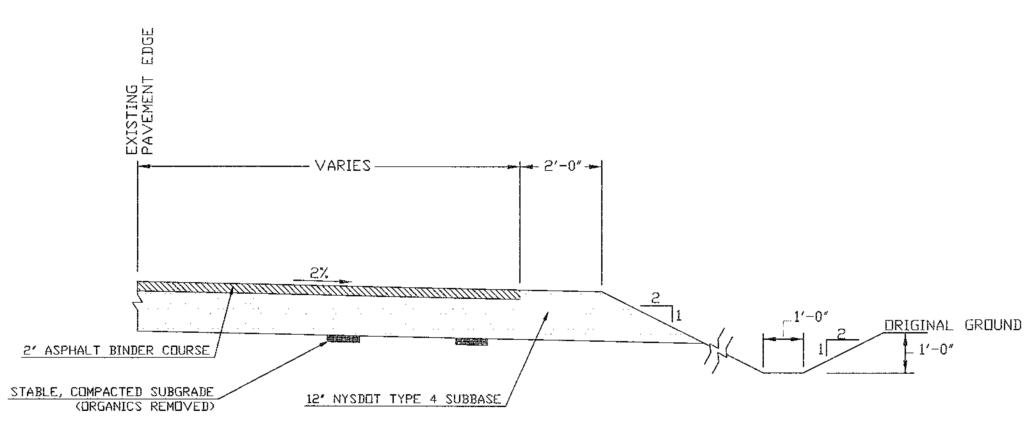
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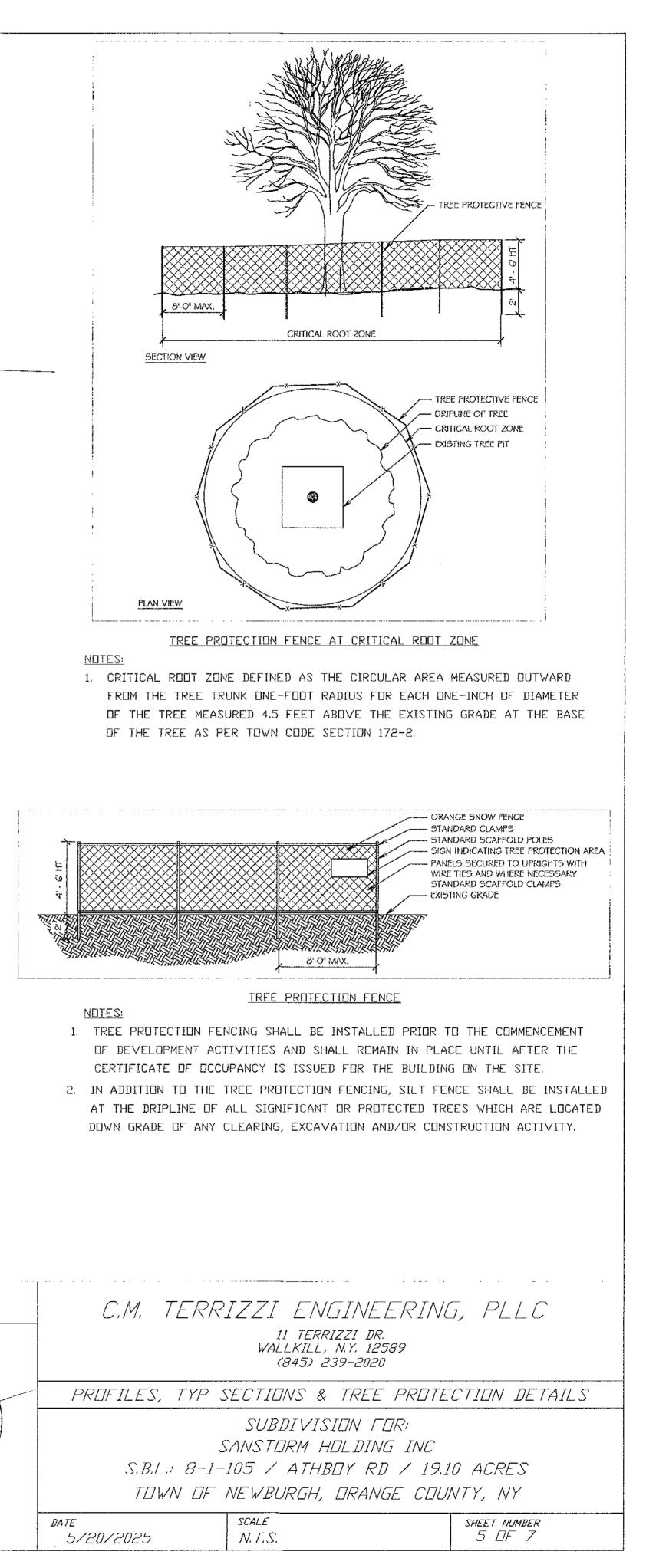


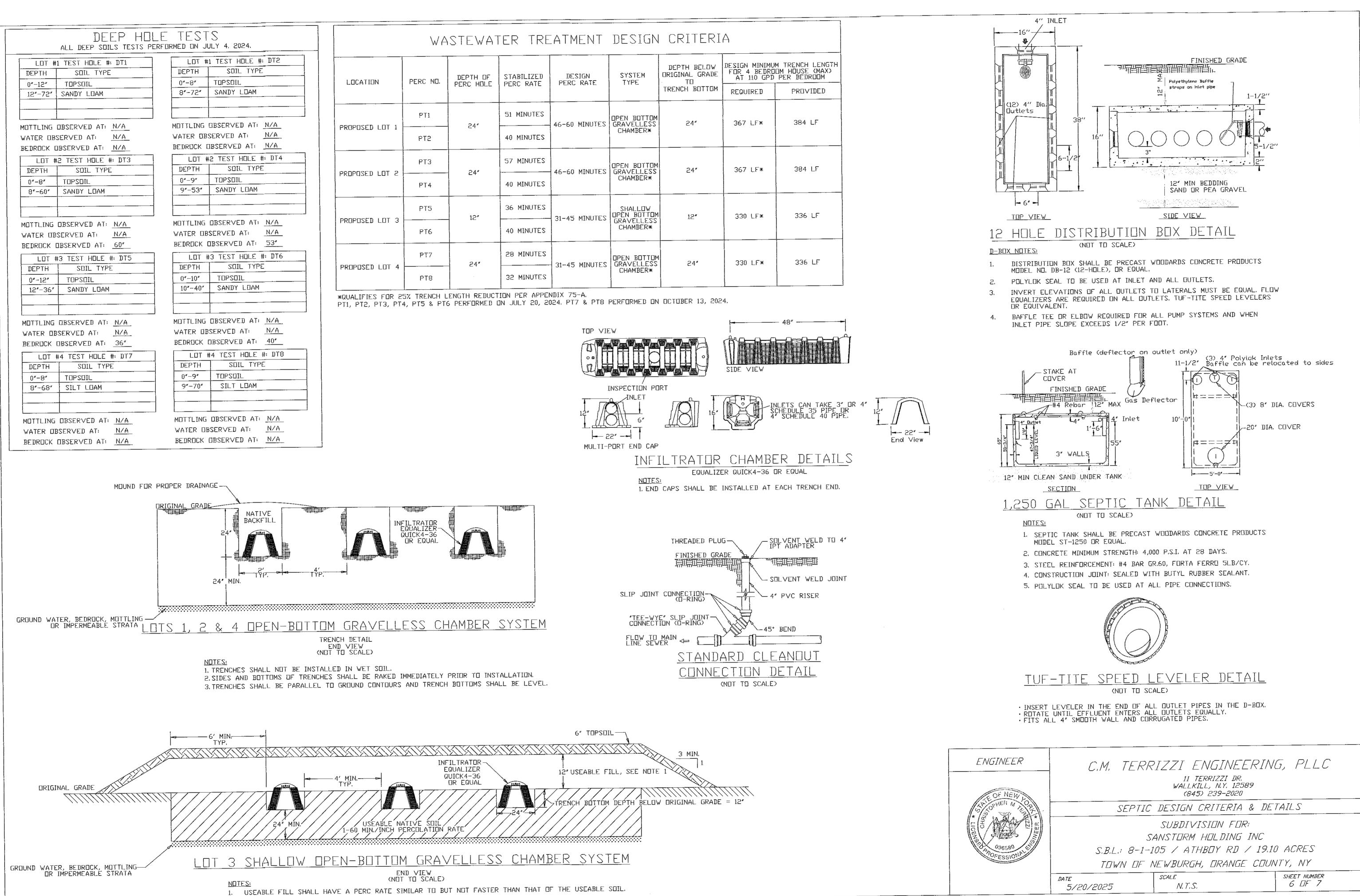


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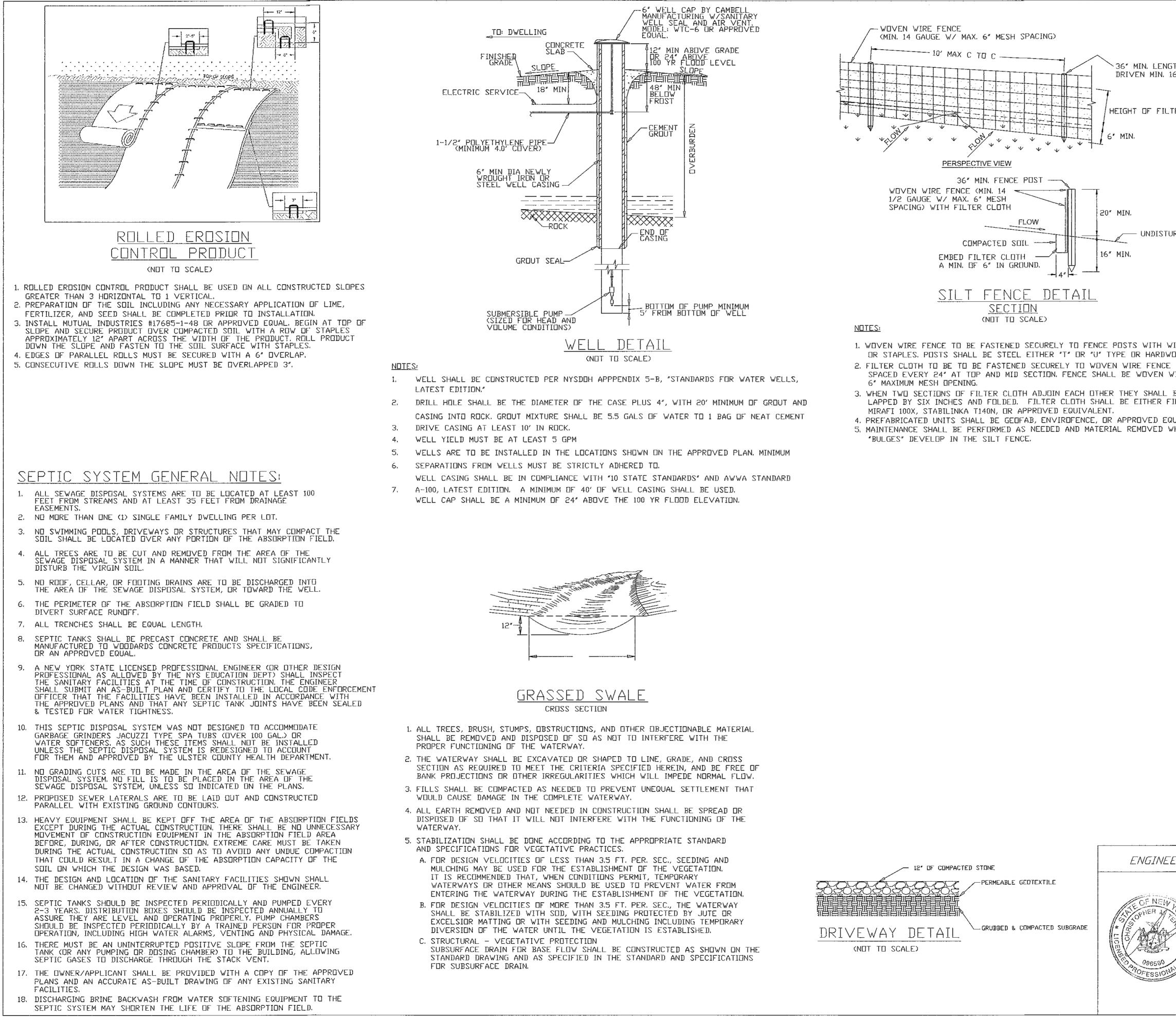


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