



## Appendix D: Stormwater Construction Management

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Appendix D: Construction Stormwater Management  
Town of Huntington Stormwater Management Program Plan  
D1: Chapter 170, Article II: Erosion & Sediment Control

**Chapter 170: Stormwater Management**  
**Article II: Erosion and Sediment Control**

**§ 170-22. Legislative Intent.**

In addition to the Legislative Intent as set forth in Article I of this Chapter, the Town Board intends to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety and welfare of the citizens of the Town of Huntington, and makes the following findings of fact:

- A. Land development activities and associated increases in site impervious cover often alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, flooding, stream channel erosion, or sediment transport and deposition;
- B. This stormwater runoff contributes to increased quantities of water-borne pollutants, including siltation of aquatic habitat for fish and other desirable species;
- C. Clearing and grading during construction tends to increase soil erosion and add to the loss of native vegetation necessary for terrestrial and aquatic habitat;
- D. Improper design and construction of stormwater management practices can increase the velocity of stormwater runoff thereby increasing stream bank erosion and sedimentation;
- E. Impervious surfaces allow less water to percolate into the soil, thereby decreasing groundwater recharge and stream baseflow;
- F. Substantial economic losses can result from these adverse impacts on the waters of the Town of Huntington and the State of New York;
- G. Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from land development activities;
- H. Regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development.

**§ 170-23. Objectives.**

In order to address the above-enumerated findings of fact, the Town Board intends to achieve the following objectives:

- A. Meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02, as amended or revised;
- B. Require land development activities to conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge

Elimination System (SPDES) General Permit for Construction Activities, Permit No. GP-02-01, as amended or revised;

- C. Minimize increases in stormwater runoff from land development activities in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels;
- D. Minimize increases in pollution caused by stormwater runoff from land development activities which would otherwise degrade local water quality;
- E. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development to the maximum extent practicable; and
- F. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management practices and to ensure that these management practices are properly maintained and eliminate threats to public safety.

**§ 170-24. Applicability.**

- A. This Article is enacted pursuant to the authority invested in the Town Board pursuant to Article 10 of the Municipal Home Rule Law of the State of New York and shall be applicable to all land development activities affecting 43,560 square feet (one acre) or more; or activities disturbing less than one acre of land if part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.
- B. All land development activities subject to review and approval by the Planning Board shall be reviewed for compliance with this Article unless otherwise exempted.
- C. All relevant applications for building permit, unless the Stormwater Pollution Prevention Plan (SWPPP) has already been approved by the Planning Board, shall be reviewed by the Department of Engineering Services for compliance with this Article.

**§ 170-25. Exemptions.**

The following activities may be exempt from review under this Article.

- A. Any subdivision plat or site plan which has received final approval by the Planning Board, and any development for which a building permit has been issued by the Department of Engineering Services on or prior to January 1, 2008.

- B. Those activities of an individual engaged in gardening of flowers and/or vegetables for personal use on residentially-utilized lots developed by one or two family housing.
- C. Routine maintenance activities that disturb less than five acres and are performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility.
- D. Amendments to any stormwater management practice, or repairs or alterations to a system deemed necessary by the Stormwater Management Officer.
- E. Emergency activities undertaken to protect life, property or natural resources from imminent harm or danger as determined by the SMO or his designee.
- F. Installation of fencing, signs, telephone and utility poles or posts.
- G. Landscaping and horticultural activities in connection with an existing structure except such instances which require permits pursuant to the Chapter 87 of the Town Code.
- H. Agricultural activity as defined in this Article.
- I. Cemetery graves.

**§ 170-26. Definitions.**

For the purpose of this Article certain terms and words are hereby defined. Words used in the present tense include the future, words in the singular include the plural, and words in the plural include the singular; the word "shall" is mandatory. For the purpose of this Article, the following terms and phrases shall have the meaning set forth below:

**AGRICULTURAL ACTIVITY** — The use of land for the production of vegetative crops, such as but not limited to grains, field crops, market garden crops, fruits, sod and fiber plants, and in which the maintenance or keeping of poultry or farm animals is accessory and incidental to the use of the premises for agricultural purposes. Farming shall not include the commercial raising of dogs, cats, fur-bearing animals or dairy cattle. For the purposes of this Article, the operation of greenhouses shall not be considered as farming.

**BUILDING** — any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

**CHANNEL** — a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

**CLEARING** — any activity that removes the vegetative surface cover.

**DEDICATION** — the deliberate appropriation of property by its owner for general public use.

**NYSDEC** — the New York State Department of Environmental Conservation, the agency responsible for the administration and enforcement of State environmental laws and regulations.

**DESIGN MANUAL** — the New York State Stormwater Management Design Manual, most recent version including applicable updates, that serves as the official guide for stormwater management principles, methods and practices.

**DEVELOPER** — a person who undertakes land development activities.

**EROSION CONTROL MANUAL** — the most recent version of the "New York Standards and Specifications for Erosion and Sediment Control" manual, commonly known as the "Blue Book".

**GRADING** — excavation or fill of material, including the resulting conditions thereof.

**IMPERVIOUS COVER** — those surfaces, improvements and structures that cannot effectively infiltrate rainfall, snow melt and water (e.g., building rooftops, pavement, sidewalks, driveways, etc).

**INDUSTRIAL STORMWATER PERMIT** — a State Pollutant Discharge Elimination System permit issued to a commercial industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

**INFILTRATION** — the process of percolating stormwater into the subsoil.

**JURISDICTIONAL WETLAND** — an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

**LAND DEVELOPMENT ACTIVITY** — construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than one acre of land, or activities disturbing less than one acre of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules.

**COVENANT AND RESTRICTION** — a legally recorded document that acts as a property deed restriction.

**NONPOINT SOURCE POLLUTION** — pollution from any source other than from any discernible, confined and discrete conveyances, and shall include but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

**PHASING** — clearing a parcel of land in distinct pieces or parts, with the stabilization of each piece completed before the clearing of the next.

**POLLUTANT OF CONCERN** — sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other

pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the land development activity.

**PROJECT** — land development activity

**RECHARGE** — the replenishment of underground water reserves.

**SEDIMENT CONTROL** — measures that prevent eroded sediment from leaving the site.

**SENSITIVE AREAS** — cold water fisheries, shellfish beds, swimming beaches, groundwater recharge areas, water supply reservoirs, habitats for threatened, endangered or special concern species.

**SPDES GENERAL PERMIT FOR CONSTRUCTION ACTIVITIES GP-02-01** — A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to developers of construction activities to regulate disturbance of one or more acres of land.

**SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORMWATER SEWER SYSTEMS GP-02-02** — A permit under the New York State Pollutant Discharge Elimination System (SPDES) issued to municipalities to regulate discharges from municipal separate storm sewers for compliance with EPA established water quality standards and/or to specify stormwater control standards.

**STABILIZATION** — the use of practices that prevent exposed soil from eroding.

**STOP WORK ORDER** — an order issued which requires that all construction activity on a site be stopped.

**STORMWATER** — rainwater, surface runoff, snowmelt and drainage.

**STORMWATER HOTSPOT** — a land use or activity that generates higher concentrations of hydrocarbons, trace metals or toxicants than are found in typical stormwater runoff, based on monitoring studies.

**STORMWATER MANAGEMENT** — the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

**STORMWATER MANAGEMENT SYSTEM** — one or a series of stormwater management practices installed, stabilized and operating for the purpose of controlling stormwater runoff.

**STORMWATER MANAGEMENT OFFICER** — The person or persons designated to administer, implement and enforce the provisions of this Article, who shall accept and review stormwater pollution prevention plans, forward the plans to the applicable department and inspect stormwater management practices.

**STORMWATER MANAGEMENT PRACTICES (SMPs)** — measures, either structural or nonstructural, that are determined to be the most effective, practical means of

preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP)** — a plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

**STORMWATER RUNOFF** — flow on the surface of the ground, resulting from precipitation.

**SURFACE WATERS OF THE STATE OF NEW YORK** — lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, 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. Storm sewers and waste treatment systems, including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

**WATERCOURSE** — a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

**WATERWAY** — a channel that directs surface runoff to a watercourse or to the public storm drain.

### **§ 170-27. Responsibility for Administration.**

The Director of the Department of Engineering Services shall be designated as the Stormwater Management Officer for the purpose of this Article. The Stormwater Management Officer or duly authorized deputies, agents, or representatives, shall inspect stormwater management practices, review all stormwater pollution prevention plans for compliance with this Article and all applicable laws and rules. The SMO may (1) review the plans, (2) forward the plans to another department for review, (3) engage the services of a professional engineer to review the plans, specifications and related documents or (4) accept the certification of a professional engineer or a certified professional in erosion and sediment control (CPESC), that the plans conform to the requirements of this Article.

### **§ 170-28. Requirements.**

#### **A. Stormwater Pollution Prevention Plan; Required.**

- (1) No building permit shall be issued, and no site plan or subdivision shall be approved by any town department, agency or board for the development of land in any zoning district until the provisions of this Article have been met and a Stormwater Pollution Prevention Plan (SWPPP) has been submitted.

- (2) All drawings, plans and specifications shall be signed and sealed by a Licensed Professional Engineer.
  - (3) A copy of the SWPPP shall be retained in a conspicuous place at the site of the land development activity so as to be easily inspected during construction from the date of initiation of construction activities to the date of final stabilization, and shall not be removed until the project is completed to the satisfaction of the Town. Failure to post or retain a copy of the SWPPP on site shall be deemed a violation of this Article.
- B. Contents of Stormwater Pollution Prevention Plans. All SWPPPs submitted for filing shall provide the following information and erosion and sediment controls:
- (1) Scope of the project, including location, type, and size of project.
  - (2) Site map grading plan/construction drawing(s) for the project, including a general location map. At a minimum, the site plan map shall show the total site area; all existing and proposed 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 off-site material, waste, borrow or equipment storage areas; and location(s) of the stormwater discharges(s). All site maps should be drawn at a scale no smaller than 1"=20';
  - (3) Description of the soil(s) present at the site as identified by soil borings or test pits;
  - (4) Construction phasing plan describing the intended sequence 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 that is consistent with the New York Standards and Specifications for Erosion and Sediment Control (Erosion Control Manual);
  - (5) Description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in stormwater runoff;
  - (6) Description of construction and waste materials expected to be stored on-site with updates as requested by the Town, and a description of the nature and type of controls to be implemented in order to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater and spill-prevention and response;
  - (7) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project from initial land clearing and grubbing to project close-out;



- (8) A site map/construction drawing(s) specifying the location(s), size(s) and length(s) of each erosion and sediment control practice;
- (9) Dimensions, material specifications and installation details for all erosion and sediment control practices, including the siting and sizing of any temporary sediment basins;
- (10) Temporary practices that will be converted to permanent control measures;
- (11) Implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice shall remain in place;
- (12) Maintenance schedule to ensure continuous and effective operation of the erosion and sediment control practice;
- (13) Name(s) of the receiving water(s);
- (14) Delineation of SWPPP implementation responsibilities for each part of the site;
- (15) Description of structural practices designed to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable; and
- (16) Any existing data that describes the stormwater runoff at the site.

C. Additional Criteria.

- (1) Land development activities meeting the following criteria shall also include water quantity and water quality controls in the SWPPP (post-construction stormwater runoff controls) as set forth below:

Criteria A - Stormwater runoff from land development activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Criteria B - Stormwater runoff from land development activities disturbing five (5) or more acres.

Criteria C - Stormwater runoff from land development activity disturbing between one (1) and five (5) acres of land during the course of the project, exclusive of the construction of single family residences and construction activities at agricultural properties.

- (2) Land development activities meeting the Additional Criteria set forth in 170-28(C) shall also include the following information in the SWPPP:
  - (a) All information included in § 170-28(B)

- (b) Description of each post-construction stormwater management practice;
- (c) Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
- (d) Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
- (e) Comparison of post-development stormwater runoff conditions with pre-development conditions;
- (f) Dimensions, material specifications and installation details for each post-construction stormwater management practice;
- (g) Maintenance schedule to ensure continuous and effective operation of each post-construction stormwater management practice;
- (h) Covenants and restrictions to ensure access to all stormwater management practices at the site for the purpose of inspection, repair and maintenance in accordance with the provisions of this Article;
- (i) For land disturbances meeting Criteria A, the SWPPP shall be prepared by a Licensed Professional Engineer who must sign the plan and certify that the design of all stormwater management practices meet the requirements in this Article.

D. Other Environmental Permits.

The applicant shall produce copies of all other applicable environmental permits that have been or will be acquired for the land development activity and any approval issued by the Town shall be subject to the issuance and production of such permits.

E. Contractor Certification.

- (1) Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice design or installation shall sign and date a copy of the following certification statement before undertaking any land development activity:

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."

- (2) The certification must include the name and title of the person signing the document, address and telephone number of the contracting firm; the address (or other identifying description) of the site; any other information required by the Town and the date the certification is made.

**§ 170-29. through § 170-31. (Reserved)****§ 170-32. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control.**

All land development activities shall meet the following performance and design criteria:

A. Technical Standards. For the purpose of this Article, the following documents shall serve as the official guides and specifications for stormwater management:

- (1) The New York State Stormwater Management Design Manual (New York State Department of Environmental Conservation, most current version or its successor, hereafter referred to as the Design Manual).
- (2) New York Standards and Specifications for Erosion and Sediment Control, (Empire State Chapter of the Soil and Water Conservation Society, 2004, most current version or its successor, hereafter referred to as the Erosion Control Manual).
- (3) The Town of Huntington, Huntington Town Planning Board "Erosion and Sediment Control Handbook" or as amended.
- (4) The Town of Huntington, Huntington Town Planning Board "Subdivision Regulations and Site Improvement Specifications" or as amended.

B. Water Quality Standards

Any land development activity shall not cause an increase in turbidity that will result in substantial visible contrast to natural conditions in surface waters of Huntington or the State of New York.

**§ 170-33. (Reserved)****§ 170-34. Maintenance and Inspection During Construction.**

A. The applicant or developer or their representative shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the provisions of this Article. Sediment shall be removed from sediment traps or sediment ponds whenever their design capacity has been reduced by fifty (50) percent.

B. For land development activities meeting Special Criteria A, B or C in § 175-28(C), a qualified professional shall conduct site inspections and document the effectiveness of all erosion and sediment control practices every seven (7) days and within twenty-four (24) hours of any storm event producing 0.5 inches of precipitation or more. Inspection reports shall be maintained in a site log book and made available upon request of the SMO or any officer of the Town of Huntington

authorized to enforce the Code of the Town of Huntington. Failure to maintain a site log book or make the log book available upon request shall be deemed a violation.

**§ 170-35. (Reserved)**

**§ 170-36. Post Construction Action.**

**A. Maintenance after Construction.**

The owner or operator of property where stormwater management systems are installed in accordance with this Article shall ensure they are operated and maintained to achieve the goals of this Article. Proper operation and maintenance shall include at a minimum, the following:

- (1) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator or person in charge of property to achieve the goals of this Article.
- (2) Written procedures for operation and maintenance of the stormwater management systems and the training new maintenance personnel.
- (3) Discharges from the SMPs shall not exceed design criteria or cause or contribute to water quality standard violations in accordance with § 170-32(B).

**B. Covenants and Restrictions; Required.**

Prior to the issuance of a Certificate of Occupancy or Certificate of Permitted Use for properties which are required to have a stormwater management system in place, the owner shall execute Covenants and Restrictions that shall be binding on all subsequent landowners served by the stormwater management system.

- (1) The covenant shall provide for access to the system at reasonable times for periodic inspection by the SMO or his designee to ensure that the system is maintained in proper working order and to ensure that it meets design standards and complies with all the provisions of this Article.
- (2) The covenants and restrictions shall also provide for the long term maintenance and continuation of stormwater control measures approved by the SMO for the particular project.
- (3) The Town of Huntington, in lieu of executing a Covenant and Restriction providing for long term maintenance, at its sole discretion may accept dedication of any existing or future stormwater management system, provided such system meets all the requirements of this Article and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

- (4) The applicant shall submit the required Covenants and Restrictions to the Town Attorney for approval as to form and content. Upon the required approval of the Town Attorney, the applicant shall record the document in the Office of the Suffolk County Clerk at his or her own cost and expense and provide the Town Attorney and the Department of Engineering Services with a copy of the recorded instrument and evidence that same has been approved by the Town Attorney before a Certificate of Occupancy or Certificate of Permitted Use will be issued or released.

**§ 170-37. As Built Plans; Required.**

All applicants are required to submit "as built" plans for any stormwater management practices (SMPs) located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management systems and any other detail required by the Town and must be certified by a professional engineer or Certified Professional in Erosion and Sediment Control (CPESC).

**§ 170-38. (Reserved)**

**§ 170-39. Subdivision and Site Plan Approval.**

No subdivision or site plan shall be approved by the Planning Board unless:

A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of this Article has been submitted by the applicant and approved by the Planning Board. The approved subdivision plat or site plan shall be consistent with the provisions of this Article.

**§ 170-40. Individual Residential Building Lots (One or Two Family Residences).**

Every building permit application for the development of a one or two family residence shall include a Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of this Article. No building permit shall be issued until the required plan is submitted and approved by the Department of Engineering Services, and no Certificate of Occupancy or Certificate of Permitted Use shall be issued or released until a SWPPP is in place.

**§ 170-41. (Reserved)**

**§ 170-42. Inspections; Authority of SMO.**

A. Erosion and Sediment Control Inspection.

- (1) The Stormwater Management Officer shall require such inspections as he deems necessary to determine compliance with the provisions of this Article, and may either approve that portion of the work completed, or notify the

applicant where the work fails to comply with the requirements of this Article or the Stormwater Pollution Prevention Plan (SWPPP) as approved.

- (2) The applicant, owner or developer shall notify the SMO or his designee to schedule an inspection at least forty-eight (48) hours before each of the following is accomplished:
  - (a) Start of construction
  - (b) Installation of sediment and erosion control measures
  - (c) Completion of site clearing
  - (d) Completion of rough grading
  - (e) Completion of final grading
  - (f) Close of the construction season
  - (g) Completion of final landscaping
  - (h) Successful establishment of landscaping in public areas.
- (3) In the event violations are found, the SMO or his designee shall notify the applicant or developer in writing of the nature of the violation and the required corrective actions. No further work shall be conducted except for site stabilization, if necessary, until all violations are corrected and all work previously completed has received approval by the Stormwater Management Officer or other authorized Town official. Failure to take the required corrective action or to stop work shall be deemed a violation of this Article.

**B. Inspection of Stormwater Facilities After Project Completion.**

Inspection programs shall be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, groundwater as well as material or water left in drainage control facilities; and evaluating the condition of drainage control facilities and other stormwater management practices.

**C. Submission of Reports.**

The Stormwater Management Officer may require monitoring and reporting from the property owner, person in charge or in possession of the property as are necessary to determine compliance with this Article.

D. Right-of-Entry for Inspection.

When any new stormwater management system is installed on private property or when any new connection is made to the public storm water system, the owner, person in charge or in possession of the property shall grant the Stormwater Management Officer the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection for compliance with this Article.

E. Certificate of Occupancy and Certificate of Permitted Use.

If any building or land development activity is conducted in violation of this Article the Stormwater Management Officer may prevent the occupancy of said building or land until there is compliance with the provisions of this Article.

F. Restoration of Lands.

Any violator may be required to restore land to its undisturbed condition including adjoining properties, utilities and both subsurface and surface water-ways. In the event that restoration is not undertaken within a reasonable time after notice, the Town of Huntington shall take necessary corrective action, the cost of which shall become a lien upon the property and collected in the same manner as real property taxes.

**§ 170-43. Fees for Services.**

Any person undertaking land development activities regulated by this Article shall pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by Town of Huntington or performed by a third party for the Town of Huntington, as the case may be. Such fees and charges shall be established by the Town Board.

**§ 170-44. Performance Guarantee.**

A. Construction Completion Guarantee.

In order to ensure the full and faithful completion of all land development activities and other performance requirements established by the Town as a condition of approval of the Stormwater Pollution Prevention Plan, the Town shall require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Town of Huntington as the beneficiary. The security shall be in an amount to be determined by the Town of Huntington based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Town of Huntington, provided that such period shall not be less than one year from the date of final acceptance or such other certification that the facility(ies) have been constructed in accordance with the approved plans and specifications, and that a one year inspection has been conducted and the facilities have been found to be acceptable to the Town of Huntington.

**B. Maintenance Guarantee.**

Where stormwater management and erosion and sediment control systems are to be operated and maintained by the developer or by a person who owns or manages a commercial or industrial system, the developer or other such person, prior to construction, shall be required to provide the Town of Huntington with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control systems both during and after construction, and until the systems are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control systems, the Town of Huntington may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs, and all other related costs and expenses.

**§ 170-45. (Reserved)**

**§ 170-46. Recordkeeping.**

All property owners, persons in charge or in possession of property subject to the provisions of this Article shall maintain full, true and complete records demonstrating compliance with this Article.

**§ 170-47. Enforcement.**

**A. Notice of Violation.**



When the Town of Huntington determines that a land development activity is in violation of the provisions of this Article, he shall serve a written notice of such violation upon the property owner, person in charge or in possession of the property. The Notice of Violation shall contain:

- (1) The name and address of the landowner, person in charge or in possession of the property to whom the notice is directed;
- (2) The address when available or a description of the building, structure or land upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the land development activity into compliance with this Article and a time schedule for the completion of such remedial action;
- (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the Notice of Violation is directed;

**B. Stop Work Orders.**

- (1) In addition to any other penalty which may be imposed, the SMO or his designee may issue a stop work order for violations of this Article. Persons receiving a stop work order shall be required to halt all land development activities except those activities that address the violations leading to the stop work order. The stop work order shall be in effect until the SMO or his designee confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop work order in a timely manner may result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized by this Article.
- (2) The stop work order shall be in writing and shall state the conditions under which the work may be resumed. The violator shall be provided with a copy of the stop work order by delivering same to him or her in person, or to their agent or person in charge of the property or work; or by posting the stop-work order in a conspicuous place on the property. In all instances a copy of the stop-work order shall be mailed by the Department to the violator or to the property owner by certified mail to the last known address.
- (3) It shall be unlawful for any person to remove, alter, obscure, deface, change or otherwise tamper with any portion of a stop-work order that has been issued by the Town. The property owner and/or violator shall be strictly liable for a violation of this section. In addition to any other penalty provided for herein, the building permit may be revoked by the SMO or Director of Engineering Services.

**§ 170-48. (Reserved)**

**§ 170-49. Penalties.**

- A. For each violation of the provisions of this Article, including but not limited to violations of a directive of the SMO or his designee, the property owner, person in charge or in possession of or operator of the premises where such violation has been committed or exists shall be held liable, on conviction thereof, to a fine or penalty of not less than five hundred (\$500) dollars nor more than five thousand (\$5,000) dollars for a conviction of a first offense; upon conviction of a second violation where the offense is committed within a period of five (5) years of the first offense, a fine of not less than one thousand (\$1,000) dollars nor more than ten thousand (\$10,000) dollars; and upon conviction of a third or subsequent violation where the offense is committed within a period of five (5) years of the first and second offense shall constitute a misdemeanor punishable by a fine of not less than one thousand five hundred (\$1,500) dollars nor more than fifteen thousand (\$15,000) dollars or imprisonment not to exceed six (6) months, or both. Each day, or part thereof, such violation continues following notification by the Town or service of a summons shall constitute a separate offense punishable in like manner.
- B. In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to two hundred and fifty (\$250) dollars per day, or any part thereof; an action to compel compliance with or to restrain by injunction the violation of this Article; and other remedies which in the opinion of the Town Attorney may seem necessary and proper. Such civil and equitable relief may be sought in a court of competent jurisdiction or from a duly appointed hearing officer whenever permitted by law. Any civil monetary penalty awarded may be added to the tax bill of the property where the violation has occurred and shall be collected in the same manner.
- C. In any civil or equitable action or proceeding commenced in the name of the Town of Huntington for violations of this chapter, if the Town is successful in its action or proceeding, it can expect attorney fees to be paid in addition to other civil penalties.
- D. The remedies provided for in this Article are not exclusive of any other remedies available under applicable federal, state or local law.

Town of Huntington Stormwater Management Program Plan  
D2: SPDES Coverage SWPPP Requirement Letter



Town Hall • 100 Main Street  
Huntington, NY 11743-6991

Phone: (631) 351-3151  
Fax: (631) 351-3212  
<http://huntingtonny.gov>

**ENGINEERING SERVICES**

<<DATE>>

<<APPLICANT NAME>>  
<<APPLICANT ADDRESS LINE 1>>  
<<APPLICANT ADDRESS LINE 2>>  
<<APPLICATION TAX MAP NO(S)>>

ATTN: <<APPLICANT CONTACT PERSON>>

**RE: <<APPLICATION NAME>>  
<<APPLICATION DESCRIPTION>>  
SPDES General Permit for Stormwater Discharges from Construction Activity Coverage**

Dear <<APPLICANT CONTACT PERSON>>

Please be advised that a review of your <<TYPE>> application has revealed that the construction activities proposed to be undertaken require coverage under the New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. Please prepare and submit for review and approval a Stormwater Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) pursuant to Article 17, Titles 7 & 8 and Article 70 of the Environmental Conservation Law and Chapter 170, Stormwater Management of the Code of the Town of Huntington.

Upon final review and acceptance of a SWPPP for <<APPLICATION NAME>> a signed MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form will be issued by this Department and you will be provided with directions explaining how to file the Notice of Intent (NOI) with the New York State Department of Environmental Conservation to gain coverage under the aforementioned permit.

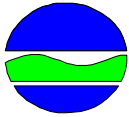
Should you have any questions please feel free to contact me.

Best regards,

<<PUBLIC OFFICIAL NAME>>  
<<PUBLIC OFFICIAL TITLE>>



**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-0-15-002**  
 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)

Owner/Operator Contact Person Last Name (NOT CONSULTANT)

Owner/Operator Contact Person First Name

Owner/Operator Mailing Address

City

State  Zip  -

Phone (Owner/Operator)  -  -  Fax (Owner/Operator)  -  -

Email (Owner/Operator)

FED TAX ID  -  (not required for individuals)

Project Site Information

Project/Site Name

[Grid for Project/Site Name]

Street Address (NOT P.O. BOX)

[Grid for Street Address]

Side of Street

North  South  East  West

City/Town/Village (THAT ISSUES BUILDING PERMIT)

[Grid for City/Town/Village]

State

[Grid for State]

Zip

[Grid for Zip]

-

[Grid for Zip Extension]

County

[Grid for County]

DEC Region

[Grid for DEC Region]

Name of Nearest Cross Street

[Grid for Name of Nearest Cross Street]

Distance to Nearest Cross Street (Feet)

[Grid for Distance to Nearest Cross Street]

Project In Relation to Cross Street

North  South  East  West

Tax Map Numbers

Section-Block-Parcel

[Grid for Tax Map Numbers Section-Block-Parcel]

Tax Map Numbers

[Grid for 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](http://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)

[Grid for X Coordinates]

Y Coordinates (Northing)

[Grid for Y Coordinates]

2. What is the nature of this construction project?

- New Construction
- Redevelopment with increase in impervious area
- Redevelopment with no increase in impervious area

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

**Pre-Development  
Existing Land Use**

- FOREST
- PASTURE/OPEN LAND
- CULTIVATED LAND
- SINGLE FAMILY HOME
- SINGLE FAMILY SUBDIVISION
- TOWN HOME RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- INSTITUTIONAL/SCHOOL
- INDUSTRIAL
- COMMERCIAL
- ROAD/HIGHWAY
- RECREATIONAL/SPORTS FIELD
- BIKE PATH/TRAIL
- LINEAR UTILITY
- PARKING LOT
- OTHER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**Post-Development  
Future Land Use**

- SINGLE FAMILY HOME
- SINGLE FAMILY SUBDIVISION
- TOWN HOME RESIDENTIAL
- MULTIFAMILY RESIDENTIAL
- INSTITUTIONAL/SCHOOL
- INDUSTRIAL
- COMMERCIAL
- MUNICIPAL
- ROAD/HIGHWAY
- RECREATIONAL/SPORTS FIELD
- BIKE PATH/TRAIL
- LINEAR UTILITY (water, sewer, gas, etc.)
- PARKING LOT
- CLEARING/GRADING ONLY
- DEMOLITION, NO REDEVELOPMENT
- WELL DRILLING ACTIVITY \*(Oil, Gas, etc.)
- OTHER

Number of Lots

--	--	--

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

**\*Note:** for gas well drilling, non-high volume hydraulic fractured wells only

4. In accordance with the larger common plan of development or sale, enter the total project site area; the total area to be disturbed; existing impervious area to be disturbed (for redevelopment activities); and the future impervious area constructed within the disturbed area. (Round to the nearest tenth of an acre.)

Total Site Area	Total Area To Be Disturbed	Existing Impervious Area To Be Disturbed	Future Impervious Area Within Disturbed Area																				
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5. Do you plan to disturb more than 5 acres of soil at any one time?  Yes  No

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

A <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table> %					B <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table> %					C <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table> %					D <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table> %				

7. Is this a phased project?  Yes  No

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

Start Date <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td></tr> </table> / <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td></tr> </table> / <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table>									-	End Date <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td></tr> </table> / <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td></tr> </table> / <table border="1" style="display: inline-table; width: 40px; height: 20px;"> <tr><td></td><td></td><td></td><td></td></tr> </table>								

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

Name  
[Grid for name entry]

9a. Type of waterbody identified in Question 9?

- Wetland / State Jurisdiction On Site (Answer 9b)
Wetland / State Jurisdiction Off Site
Wetland / Federal Jurisdiction On Site (Answer 9b)
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

9b. How was the wetland identified?

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

[Grid for 'Other Type Off Site' answer]

[Grid for 'Other (identify)' answer]

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-15-002? Yes No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-15-002? Yes No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters? Yes No
If no, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey? Yes No
If Yes, what is the acreage to be disturbed? [Grid]

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







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**


**Post-construction Stormwater Management Practice (SMP) Requirements**

**Important: Completion of Questions 27-39 is not required if response to Question 22 is No.**

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

- Preservation of Undisturbed Areas
- Preservation of Buffers
- Reduction of Clearing and Grading
- Locating Development in Less Sensitive Areas
- Roadway Reduction
- Sidewalk Reduction
- Driveway Reduction
- Cul-de-sac Reduction
- Building Footprint Reduction
- Parking Reduction

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).

- All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).
- Compacted areas were considered as impervious cover when calculating the **WQv Required**, and the compacted areas were assigned a post-construction Hydrologic Soil Group (HSG) designation that is one level less permeable than existing conditions for the hydrology analysis.

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout).

**Total WQv Required**

.  acre-feet

29. Identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity in Table 1 (See Page 9) that were used to reduce the Total WQv Required (#28).

Also, provide in Table 1 the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

**Note:** Redevelopment projects shall use Tables 1 and 2 to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

Table 1 - Runoff Reduction (RR) Techniques and Standard Stormwater Management Practices (SMPs)

<u>RR Techniques (Area Reduction)</u>	<u>Total Contributing Area (acres)</u>		<u>Total Contributing Impervious Area(acres)</u>	
<input type="radio"/> Conservation of Natural Areas (RR-1) ...	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Sheetflow to Riparian Buffers/Filters Strips (RR-2) .....	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Tree Planting/Tree Pit (RR-3) .....	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
<input type="radio"/> Disconnection of Rooftop Runoff (RR-4) ..	<input type="text"/>	<input type="text"/>	and/or	<input type="text"/>
 <u>RR Techniques (Volume Reduction)</u>				
<input type="radio"/> Vegetated Swale (RR-5) .....				
<input type="radio"/> Rain Garden (RR-6) .....				
<input type="radio"/> Stormwater Planter (RR-7) .....				
<input type="radio"/> Rain Barrel/Cistern (RR-8) .....				
<input type="radio"/> Porous Pavement (RR-9) .....				
<input type="radio"/> Green Roof (RR-10) .....				
 <u>Standard SMPs with RRv Capacity</u>				
<input type="radio"/> Infiltration Trench (I-1) .....				
<input type="radio"/> Infiltration Basin (I-2) .....				
<input type="radio"/> Dry Well (I-3) .....				
<input type="radio"/> Underground Infiltration System (I-4) .....				
<input type="radio"/> Bioretention (F-5) .....				
<input type="radio"/> Dry Swale (O-1) .....				
 <u>Standard SMPs</u>				
<input type="radio"/> Micropool Extended Detention (P-1) .....				
<input type="radio"/> Wet Pond (P-2) .....				
<input type="radio"/> Wet Extended Detention (P-3) .....				
<input type="radio"/> Multiple Pond System (P-4) .....				
<input type="radio"/> Pocket Pond (P-5) .....				
<input type="radio"/> Surface Sand Filter (F-1) .....				
<input type="radio"/> Underground Sand Filter (F-2) .....				
<input type="radio"/> Perimeter Sand Filter (F-3) .....				
<input type="radio"/> Organic Filter (F-4) .....				
<input type="radio"/> Shallow Wetland (W-1) .....				
<input type="radio"/> Extended Detention Wetland (W-2) .....				
<input type="radio"/> Pond/Wetland System (W-3) .....				
<input type="radio"/> Pocket Wetland (W-4) .....				
<input type="radio"/> Wet Swale (O-2) .....				

**Table 2 - Alternative SMPs  
(DO NOT INCLUDE PRACTICES BEING  
USED FOR PRETREATMENT ONLY)**

<u>Alternative SMP</u>	<u>Total Contributing Impervious Area(acres)</u>			
<input type="radio"/> Hydrodynamic .....				
<input type="radio"/> Wet Vault .....				
<input type="radio"/> Media Filter .....				
<input type="radio"/> Other <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> <input style="width: 20px; height: 15px;" type="text"/> .....				

Provide the name and manufacturer of the Alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Name

Manufacturer

**Note:** Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29.

**Total RRv provided**

.    acre-feet

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28).

Yes  No

**If Yes, go to question 36.  
If No, go to question 32.**

32. Provide the Minimum RRv required based on HSG.  
[Minimum RRv Required = (P)(0.95)(Ai)/12, Ai=(S)(Aic)]

**Minimum RRv Required**

.    acre-feet

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?

Yes  No

**If Yes, go to question 33.**

**Note:** Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

**If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.**

33. Identify the Standard SMPs in Table 1 and, if applicable, the Alternative SMPs in Table 2 that were used to treat the remaining total WQv(=Total WQv Required in 28 - Total RRv Provided in 30).

Also, provide in Table 1 and 2 the total impervious area that contributes runoff to each practice selected.

**Note:** Use Tables 1 and 2 to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question 29.

**WQv Provided**  
[ ][ ][ ] . [ ][ ][ ] acre-feet

**Note:** For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - RRv provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a). [ ][ ][ ] . [ ][ ][ ]

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?  **Yes**  **No**

**If Yes, go to question 36.**  
**If No, sizing criteria has not been met, so NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.**

36. Provide the total Channel Protection Storage Volume (CPv) required and provided or select waiver (36a), if applicable.

**CPv Required** [ ][ ][ ] . [ ][ ][ ] acre-feet      **CPv Provided** [ ][ ][ ] . [ ][ ][ ] acre-feet

36a. The need to provide channel protection has been waived because:

- Site discharges directly to tidal waters or a fifth order or larger stream.
- Reduction of the total CPv is achieved on site through runoff reduction techniques or infiltration systems.

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (37a), if applicable.

Total Overbank Flood Control Criteria (Qp)

**Pre-Development** [ ][ ][ ] . [ ][ ][ ] CFS      **Post-development** [ ][ ][ ] . [ ][ ][ ] CFS

Total Extreme Flood Control Criteria (Qf)

**Pre-Development** [ ][ ][ ] . [ ][ ][ ] CFS      **Post-development** [ ][ ][ ] . [ ][ ][ ] CFS



40. Identify other DEC permits, existing and new, that are required for this project/facility.

- Air Pollution Control
- Coastal Erosion
- Hazardous Waste
- Long Island Wells
- Mined Land Reclamation
- Solid Waste
- Navigable Waters Protection / Article 15
- Water Quality Certificate
- Dam Safety
- Water Supply
- Freshwater Wetlands/Article 24
- Tidal Wetlands
- Wild, Scenic and Recreational Rivers
- Stream Bed or Bank Protection / Article 15
- Endangered or Threatened Species(Incidental Take Permit)
- Individual SPDES
- SPDES Multi-Sector GP
- Other
- None

41. Does this project require a US Army Corps of Engineers Wetland Permit?  Yes  No  
 If Yes, Indicate Size of Impact. .

42. Is this project subject to the requirements of a regulated, traditional land use control MS4?  Yes  No  
 (If No, skip question 43)

43. 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

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



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

MI

Grid for first name

MI input box

Print Last Name

Grid for last name

Owner/Operator Signature

Signature box

Date

Date grid (MM/DD/YYYY)

**Town of Huntington**  
Department of Engineering Services  
Stormwater Pollution Prevention Plan (SWPPP) Checklist

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

SCTM No.: \_\_\_\_\_ SPDES General Permit No.: \_\_\_\_\_

SWPPP Review By: \_\_\_\_\_ Date: \_\_\_\_\_

**SWPPP contains a combination of**

- narrative
- plan sheets
- standard detail sheets (where appropriate)

**Does the SWPPP Narrative:**

- Describe the nature of the construction activity?
- Address the potential for a discharge of sediment and/or other potential pollutants from the site?
- Identify the person who will oversee the SWPPP implementation?
- Identify the entity responsible for long term O & M of the permanent storm water management system?
- List the chain of responsibility for SWPPP implementation for all operators on the site?
- Describe of installation timing for all erosion and sediment control (ESC) better management practices (BMPs)?
- Describe procedures to establish additional temporary ESC BMPs as necessary for site conditions?
- Describe final stabilization methods for all exposed areas? (may be in narrative or on plan sheets)

**Do plan sheets identify:**

- Existing and final grades?
- Locations and types of all temporary and permanent ESC BMPs?
- Stormwater flow directions and surface water divides for all pre and post-construction drainage areas?
- Impervious areas?
- Soil types?
- Locations of areas not to be disturbed?
- Limits of construction phases?



- Locations of all wetlands and surface waters that will receive pre or post-construction site runoff (if not shown on the plan sheets, an arrow to note the direction and distance)?

**Standard specifications:**

- Are specifications included where appropriate?

**Stormwater Discharge Design Requirements**

**Permanent Stormwater Management System**

- Is calculation of new impervious surface included in SWPPP?
- Are calculations for permanent stormwater management system included?
- Are there areas of the project where typical stormwater management methods are not feasible?
  - If yes, has effort been made to provide some stormwater management using alternatives?
    - Vegetated swales
    - Bioretention
    - Rain Barrels
    - Porous Pavement
    - Green Roof
    - Parking Reduction
    - Preservation of Buffers
    - Preservation of Undisturbed Areas
- Which method of permanent stormwater treatment has been selected?
  - Infiltration Basin /Ground Filtration (Recharge)
    - Is infiltration/filtration appropriate to the site and land uses?
    - Is infiltration system not excavated to final grade until drainage area constructed and stabilized?
    - Are rigorous sediment and erosion controls used to keep sediment and runoff away?
    - Is a pretreatment device used?
    - Is the system sufficient to infiltrate or filter the appropriate water quality volume?
    - Can water quality volume be discharged in 48 hours or less?
    - Is there a way to visually verify the system is operating as designed?
    - Has appropriate testing been conducted to ensure a minimum of 3 feet of separation from ground water?
    - Are calculations and/or computer model results included to demonstrate the design adequacy of the infiltration system?
    - Is adequate maintenance access provided?
    - Does the maintenance plan identify who will perform future maintenance?
  - Combination of practices
    - Is the entire water quality volume be accounted for?



- Are computer models and/or calculations included in the SWPPP?
- Alternative method
  - Hydrodynamic
  - Wet Vault
  - Media Filter

### Construction Activity Requirements

- Addresses **erosion prevention** measures:
  - Are areas not to be disturbed delineated on plans?
  - Has appropriate construction phasing been implemented?
  - Do exposed soils with positive slope within 200 feet of surface water have erosion protection/cover?
  - Do pipe outlets have energy dissipation within 24 hours of connecting?
- Addresses **sediment control** measures:
  - Are slopes with a 3:1 grade broken up into lengths less than 75 feet?
  - Are sediment control practices established on down gradient perimeters?
  - Are all inlets protected?
  - Do stockpiles have sediment control
  - Are stockpiles placed in areas away from surface waters?
  - Do construction site entrances minimize street tracking?
- Addresses **dewatering and basin draining**:
  - Is there a plan in place for dewatering, where required, so as to not cause nuisance conditions, erosion, or inundation
- Addresses **inspections and maintenance**:
  - Identifies the person who will oversee the BMP inspection and maintenance?
  - Inspections performed once every 7 days
  - Inspections performed within 24 hrs. of a rain event greater than 0.5 in/24 hr.
  - Inspection and Maintenance records include
    - Date and time of inspection
    - Name of person(s) conducting inspections
    - Finding of inspections and recommendations for corrective actions
    - Date and amount of rainfall events greater than 0.5 in/24 hr.
  - Maintenance performed
    - Silt fence repaired/replaced/supplemented when nonfunctional, or 1/3 full; within 24 hours
    - Construction site exits inspected, tracked sediment removed within 24 hours
    - Inlet protection inspected and cleaned of sediment and verified as functional
- Addresses **pollution prevention** management measures:
  - Solid waste disposed properly; comply with Town requirements
  - External washing of vehicles limited. Runoff contained and waste properly disposed
  - Concrete washout station installed



- No engine degreasing allowed on site
- Addresses **final stabilization**:
  - Stabilization by uniform perennial vegetative cover (70% density)
  - Drainage ditches stabilized
  - All temporary synthetic and structural BMPs removed
  - Clean out sediment from conveyances and infiltration basins (return to design capacity)
  - Submit Notice Of Termination

**Town of Huntington Stormwater Management Program Plan  
D5: Sample NYSDEC MS4 SWPPP Acceptance Form**



**Department of  
Environmental  
Conservation**

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

**MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance  
Form**

for

**Construction Activities Seeking Authorization Under SPDES General Permit**  
\*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

**I. Project Owner/Operator Information**

1. Owner/Operator Name:

2. Contact Person:

3. Street Address:

4. City/State/Zip:

**II. Project Site Information**

5. Project/Site Name:

6. Street Address:

7. City/State/Zip:

**III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information**

8. SWPPP Reviewed by:

9. Title/Position:

10. Date Final SWPPP Reviewed and Accepted:

**IV. Regulated MS4 Information**

11. Name of MS4:

12. MS4 SPDES Permit Identification Number: NYR20A

13. Contact Person:

14. Street Address:

15. City/State/Zip:

16. Telephone Number:

**MS4 SWPPP Acceptance Form - continued**

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

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).  
Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

**VI. Additional Information**

Town of Huntington Stormwater Management Program Plan  
D6: Sample SWPPP Acceptance Letter



Town Hall • 100 Main Street  
Huntington, NY 11743-6991

Phone: (631) 351-3151  
Fax: (631) 351-3212  
<http://huntingtonny.gov>

**ENGINEERING SERVICES**

<<DATE>>

<<APPLICANT NAME>>  
<<APPLICANT ADDRESS LINE 1>>  
<<APPLICANT ADDRESS LINE 2>>  
<<APPLICATION TAX MAP NO(S)>>

ATTN: <<APPLICANT CONTACT PERSON>>

**RE: <<APPLICATION NAME>>  
<<APPLICATION DESCRIPTION>>  
SPDES General Permit for Stormwater Discharges from Construction Activity Coverage**

Dear <<APPLICANT CONTACT PERSON>>

The Department of Engineering Services of the Town of Huntington has reviewed your Stormwater Pollution Prevention Plan (SWPPP) and deemed such to be in accordance with the requirements of the New York State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, Permit Number GP-0-15-002. We are herewith issuing you a MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form for you use in obtaining coverage under the aforementioned General Permit.

Upon receipt of this communication you or your authorized agent may submit your Notice of Intent (NOI) and a copy of the enclosed MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form to the New York State Department of Environmental Conservation to gain coverage under their SPDES General Permit for Stormwater Discharges from Construction Activities. For additional information pertaining to the NYSDEC's requirements please visit their website at <http://www.dec.ny.gov/chemical/43133.html>.

After submittal of your NOI and Acceptance Form to NYSDEC you will receive a NYSDEC Notice of Intent (NOI) Acknowledgement Letter. Upon receipt of this letter and satisfaction of any other applicable Town of Huntington requirements you may schedule a preconstruction meeting with this Department for the purpose of commencing construction activities.

Should you have any questions please feel free to contact me.

Best regards,

<<PUBLIC OFFICIAL NAME>>  
<<PUBLIC OFFICIAL TITLE>>





**Town of Huntington Stormwater Management Program Plan  
D7: Sample Pre-Construction Meeting Attendance Form**

**Pre-Construction Meeting Attendance Sheet**

**Project Title:**

**Date:**

<b>Name/Position</b>	<b>Address</b>	<b>Office Phone</b>	<b>Cell Phone</b>	<b>Email</b>

**Special SPDES Permit Note:**

All sites that are required to have coverage under a SPDES Construction Permit must post the NYSDEC Letter of Acknowledgement in a conspicuous location at the construction site and keep an up-to-date copy of the Stormwater Pollution Prevention Plan (SWPPP) on site as well. Failure to post an acknowledgement letter and maintain an up-to-date SWPPP on site will result in an immediate order to halt all work until such a time that the proper materials are posted and available on site.

# Town of Huntington

## Department of Engineering Services

### Construction Stormwater Pollution Prevention Compliance Inspection Report

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Inspected By: \_\_\_\_\_ Date: \_\_\_\_\_

Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_ Weather: \_\_\_\_\_

#### **Y N JOBSITE RECORD KEEPING PERMIT REQUIREMENTS**

- Is a copy of the SPDES General Permit available at the site?
- Is a copy of the MS4 SWPPP acceptance form available at the site?
- Is a copy of the Notice of Intent (NOI) available at the site?
- Is a copy of the NOI Acknowledgement Letter available at the site?

#### **GENERAL PERMIT REQUIREMENTS**

- Is a soil disturbance phasing plan available?
- Do site conditions match the phasing plan?
- Is construction site litter and debris appropriately managed?
- Is construction impacting adjacent properties?
- Is dust adequately controlled?

#### **GENERAL SWPPP REQUIREMENTS**

- Is an up-to-date copy of the Stormwater Pollution Prevention Plan (SWPPP) available at the site?
- Are inspections performed as required by the SPDES Permit? (Every 7 days and after 1/2" rain events)
- Are the site inspections performed by a qualified inspector or professional?

Qualified Inspector's Name: \_\_\_\_\_ Company: \_\_\_\_\_

Qualifications: \_\_\_\_\_

- Are all required Certifications signed by the appropriate parties responsible for implementing the SWPPP?

Contractor #1 Name: \_\_\_\_\_ Company: \_\_\_\_\_

What elements of the SWPPP is Contractor #1 responsible for?

Contractor #2 Name: \_\_\_\_\_ Company: \_\_\_\_\_

What elements of the SWPPP is Contractor #2 responsible for?



Contractor #3 Name: \_\_\_\_\_ Company: \_\_\_\_\_

What elements of the SWPPP is Contractor #3 responsible for?

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## **EROSION AND SEDIMENT CONTROL PRACTICES**

### **Y N Stabilized Construction Entrance(s)**

- Is a Stabilized Construction Entrance Installed? If yes, list number of entrances provided at site: \_\_\_\_\_
- Is the Stabilized Construction Entrance(s) at least 50' long (30' for single family homes) and 24' wide (12' minimum width for sites with multiple entrances)?
- Does all traffic use the stabilized entrance(s) to enter and exit site?
- Is the aggregate a mix of 1-inch to 4-inch stone or RCA at least 6-inches in thickness/depth?
- Is stone clean enough to effectively remove mud from vehicles?
- Is a geotextile filter cloth installed under the aggregate/RCA? (Not required for single-family lots)
- Is a mountable berm provided at the entrance(s)?
- If no mountable berm is provided, is piping provided underneath the entrance(s) to divert surface water?
- Is the Stabilized Construction Entrance(s) maintained in a way that prevents tracking of sediments onto the ROW?

### **Straw/Hay Bale Dike**

- Is Straw/Hay Bale Dike Installed?
- Are bales placed at the toe of slopes or along the contour(s) and in a row with ends tightly abutting adjacent bales?
- Is the Straw/Hay Bale Dike embedded at least 2" into the ground/soil with the bindings parallel to the ground?
- Are the bales securely anchored in place by either two stakes or re-bars driven through each bale?
- Is one stake driven toward the adjacent bale at an angle to force the bales together throughout the dike?
- Are stakes driven flush with the top of the bales?
- Is the Straw/Hay Bale Dike maintained in a condition which prevents sediment laden runoff from leaving the site?
- Are the Straw/Hay Bales in good condition? (Not broken/sagging/decomposed)

### **Silt Fence**

- Is Silt Fence Installed? If prefabricated fence is used list manufacturer/type: \_\_\_\_\_
- Are posts either steel (T or U shapes) or hardwood?
- Is woven wire fence (W6x6 max.) securely fastened to fence posts with wire ties or staples?
- Is filter fabric fastened securely to woven wire fence with ties spaced every 24-inches at the top and mid-section?
- Is filter fabric at least 16" high as measured from grade?
- Are the sections of filter fabric overlapped at least 6-inches and folded together?



**Y N Silt Fence – Continued**

- Is the Silt Fence embedded into the ground a minimum of 6-inches?
- Is the Silt Fence maintained in a condition which prevents the passage of sediments throughout the site?

**Drainage Structure Inlet Protection**

- Is inlet protection installed? If yes list types: \_\_\_\_\_
- Is the mechanism(s) installed in accordance with the Standard Details?
- Is the condition of the inlet protection such that it maintains drainage capacity while collecting sediment?

**Concrete Wash-Out Station**

- Does the site have ongoing or is concrete work anticipated at the site?
- Is a Concrete Wash-Out Station constructed / provided?
- If yes is it maintained in a way that prohibits wash water from contaminating the site?
- Can any evidence of concrete wash-out being conducted in non-designated areas be found?

**SOIL STABILIZATION MEASURES**

**Topsoil and Spoil Stockpiles**

- Are topsoil and/or material spoil stockpiles present on the site?  
If yes how many stockpiles are present? \_\_\_\_\_  
List type of stockpiled material(s) \_\_\_\_\_
- Are stockpiles stabilized with vegetation, mulch, and/or erosion control blankets?  
If yes list type of stabilization used: \_\_\_\_\_
- Is sediment control installed at the toe of the slope of the stockpile(s)?  
If yes specify type of sediment control used:  Hay Bale Dike     Silt Fence     Both
- Is sediment control installed correctly and maintained in good condition?

**Revegetation and Site Stabilization**

- Has temporary seeding and/or mulch been applied to idle disturbed areas?
- Has at least 4 inches of topsoil been applied under permanent/final stabilized areas?  
Is yes list type of stabilization:                     Grass Seed         Hydroseed         Sodding

**ADDITIONAL INSPECTION NOTES**

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# Town of Huntington

## Department of Engineering Services

### Final Stormwater Pollution Prevention Compliance Inspection Report

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Inspected By: \_\_\_\_\_ Date: \_\_\_\_\_

Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_ Weather: \_\_\_\_\_

#### **Y N JOBSITE RECORD KEEPING PERMIT REQUIREMENTS**

- Is a copy of the SPDES General Permit available at the site?
- Is a copy of the MS4 SWPPP acceptance form available at the site?
- Is a copy of the Notice of Intent (NOI) available at the site?
- Is a copy of the NOI Acknowledgement Letter available at the site?
- Is a copy of the Notice of Termination (NOT) available at the site?

#### **GENERAL SWPPP REQUIREMENTS**

- Is an up-to-date copy of the Stormwater Pollution Prevention Plan (SWPPP) available at the site?
- Are inspections performed as required by the SPDES Permit? (Every 7 days and after 1/2" rain events)
- Are the site inspections performed by a qualified inspector or professional?  
Qualified Inspector's Name: \_\_\_\_\_ Company: \_\_\_\_\_  
Qualifications: \_\_\_\_\_
- Has the Qualified Inspector signed the Final Stabilization certification statement on the Notice of Termination?
- Has the Qualified Inspector signed the Post-Construction Stormwater Management Practice certification statement on the Notice of Termination, if applicable?

#### **TOTAL PROJECT COMPLETION**

- Has all construction activity identified in the SWPPP been completed?
- Have all areas of disturbance achieved final stabilization?  
List method of stabilization: \_\_\_\_\_
- Have all temporary structural erosion and sediment control measures been removed?
- Have all post-construction stormwater management practices, if applicable, been constructed in conformance with the SWPPP and been made operational?



**Town of Huntington Stormwater Management Program Plan  
D10: Sample NYSDEC Notice of Termination**

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

\*(NOTE: Submit completed form to address above)\*

**NOTICE OF TERMINATION for Storm Water Discharges Authorized  
under the SPDES General Permit for Construction Activity**

Please indicate your permit identification number: NYR \_\_\_\_\_

**I. Owner or Operator Information**

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person:

4a. Telephone:

4b. Contact Person E-Mail:

**II. Project Site Information**

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

**III. Reason for Termination**

9a.  All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. \*Date final stabilization completed (month/year): \_\_\_\_\_

9b.  Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR \_\_\_\_\_  
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c.  Other (Explain on Page 2)

**IV. Final Site Information:**

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices?  yes  no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed?  yes  no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

\_\_\_\_\_

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued**

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit?     yes     no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.
- For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? \_\_\_\_\_  
(acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4?     yes  
 no  
(If Yes, complete section VI - "MS4 Acceptance" statement)

**V. Additional Information/Explanation:**  
(Use this section to answer questions 9c. and 10b., if applicable)

**VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative** (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name:

Title/Position:

Signature:

Date:

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued**

**VII. Qualified Inspector Certification - Final Stabilization:**

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

**VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):**

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

**IX. Owner or Operator Certification**

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

(NYS DEC Notice of Termination - January 2015)



# Town of Huntington Stormwater Management Program Plan D11: NYSDEC Brochure "Moving Dirt?"

## *The Problem with Stormwater*

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As stormwater flows from rooftops, over paved areas and lawns it picks up debris, chemicals, motor oil, animal waste and other pollutants. Stormwater can flow into a storm sewer system or directly into a lake, stream, river or wetland, potentially contaminating the water we use for drinking, swimming and fishing. Polluted runoff is the nation's greatest threat to clean water.

Stormwater carries the residue of urban living. Toxic chemicals from automobiles, sediment from construction activities, bacteria from animal wastes and careless application of pesticides and fertilizers threaten the health of the waterway and can kill fish and other aquatic life.

## *Stormwater Management*

Stormwater management, especially in urban areas, is becoming a necessary step in seeking reductions in pollutants in our waterways and presents new challenges. More often than not, end-of-pipe controls are not the best answer for removing pollutants from stormwater runoff. Pollutants in runoff enter our waterways in numerous ways and the best method of control is usually at the pollutant's source.

The US Environmental Protection Agency and the New York State Department of Environmental Conservation are addressing stormwater management in several ways. A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas and from construction activities disturbing one or more acres. To implement the law, the NYSDEC has issued two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge Elimination System (SPDES).

## *Construction Permit Notice of Intent*

Section 402 of the Federal Clean Water Act requires permits for stormwater discharges from construction activities that disturb one or more acres of land. To obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity, you must prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) before beginning construction.

Mail your Notice of Intent to:

**NYS DEC "Notice of Intent"  
Bureau of Water Permits  
625 Broadway, 4th Floor  
Albany NY 12233-3505**

*Note: A Stormwater Pollution Prevention Plan must be prepared before submitting the NOI.*

*If your project is in a regulated MS4, you must submit your NOI and SWPPP to the municipality.*

## *For More Information:*

Visit the DEC website at:

<http://www.dec.ny.gov/chemical/8468.html>

If you don't have web access, you can obtain written material by calling your Regional DEC office below or your County Soil & Water Conservation District office.

Region 1: (631) 444-0409    Region 6: (315) 785-2524  
Region 2: (718) 482-4933    Region 7: (315) 426-7500  
Region 3: (914) 332-1835    Region 8: (585) 226-5452  
Region 4: (518) 357-2045    Region 9: (716) 851-7070  
Region 5: (518) 623-1200

For a listing of Soil and Water Conservation Districts in New York State visit:

[www.nyacd.org/districts.html](http://www.nyacd.org/districts.html)

## *Tools available from the DEC website:*

SPDES General Permit for Stormwater Discharges from Construction Activity

Permit Forms for download —

- ◆ Notice of Intent (application for permit coverage)
- ◆ Notice of Termination
- ◆ MS4 SWPPP Acceptance Form

Instruction Manual for Stormwater Construction Permit (for preparing SWPPP and NOI)

[New York State Standards and Specifications for Erosion and Sediment Control \(2005\)](#)

[New York State Stormwater Management Design Manual \(2003\)](#)

*NEW — Chapter 9: Redevelopment Projects*

*NEW — Chapter 10: Enhanced Phosphorus Removal*

Stormwater Interactive Mapping Tool

Technical guidance documents

# Moving Dirt? *Building Something?*

If your project will impact, disturb or expose **one or more acres of soil**, including:

- ◆ Clearing and Grubbing
- ◆ Filling or Stockpiling
- ◆ Building Construction
- ◆ Grading
- ◆ Excavating
- ◆ Demolition

... you are required to have a permit for stormwater discharges from the site.



# *Stormwater* Construction Permit Regulations

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

SPDES General Permit for Stormwater Discharges  
from Construction Activity

## Stormwater Impacts from the Construction Industry

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands and oceans. Through the use of proper erosion and sediment control and stormwater management practices, construction site operators are the key defenders against stormwater impacts.

Construction and development increase the amount of impervious surfaces in our watersheds, thus increasing runoff to waterways. The additional runoff results in increased erosion and sedimentation, and destroys aquatic habitat. Preventing soil erosion and sedimentation is an important responsibility at all construction sites.

In addition to the environmental impacts, uncontrolled erosion can have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed practices and mitigate damage to other people's property or to natural resources.



Rain could easily wash this loose soil into the storm sewer and into a nearby stream, causing a water quality standards violation that could cost the site operator up to \$37,500 each day it occurs.

## Stormwater Pollution Prevention Plan

The owner/operator must prepare a SWPPP - a plan for controlling runoff and pollutants from a site during and after construction activities. The principal objective of a SWPPP is to comply with the NY SPDES Stormwater Permit for construction activities by planning and implementing the following practices:

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

## SWPPP and General Permit Sequence

If your project will disturb or impact 1 or more acres of land and you are constructing a commercial, industrial or institutional building, apartments, duplexes, a roadway, a single-family residential development with more than 25% impervious surfaces, a single-family development impacting 5 or more acres of land (including home construction); creating recreation areas, fill areas or linear utilities disturbing 5 acres or more\*:

Develop a Stormwater Pollution Prevention Plan (SWPPP) with stormwater management practices in conformance with the New York State Stormwater Management Design Manual and erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

If your construction project is single-family residential with 25% or less impervious cover, a linear utility, recreation fields or fill area, and will impact between 1 and 5 acres of land (and the site is not located in a TMDL Watershed, or directly discharging to an impaired 303(d) waterbody\*\*):

Develop a SWPPP with erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

- ▶ If your project *is* located within a regulated MS4\*\*
  1. Submit the SWPPP and Notice of Intent (NOI) to the municipality for review and acceptance
  2. Submit the NOI and signed MS4 SWPPP Acceptance form to DEC in Albany
  3. Begin construction 5 business days after notification from DEC of acceptance of NOI
- ▶ If your project *is not* located within a regulated MS4\*\*
  1. Submit a Notice of Intent (NOI) to the DEC in Albany
  2. Begin construction 5 business days after notification from DEC of acceptance of NOI

*However... If the SWPPP deviates from the DEC technical design standards:*

1. Submit a NOI to the DEC in Albany
2. Submit SWPPP to DEC Regional Office for review and acceptance prior to beginning construction

When all construction has been completed and the site has been stabilized and fully vegetated:

- ▶ File a Notice of Termination (NOT) with the DEC

\* Consult Appendix B of the General Permit for a complete listing of SWPPP requirements by project type  
\*\* Check the MS4 Stormwater General Permit for maps of regulated MS4 boundaries, TMDL watersheds and impaired waterbody listings

## Basic Components of a Stormwater Pollution Prevention Plan\*

- ◆ **Narrative Report** describing pre-development conditions and details of the planned project
- ◆ **Maps** illustrating site location, topography, drainage area, existing and proposed structures, erosion and sediment control and stormwater control measures
- ◆ **Erosion and Sediment Control Plans**
- ◆ **Water Quality and Water Quantity Control Plans**
- ◆ **Construction Sequence Schedule**
- ◆ **Contractor Certification Statements**
- ◆ **Operations and Maintenance Schedule**
- ◆ **Weekly Inspection Reports**

\* For a complete description of required SWPPP components please refer to the SPDES General Permit for Stormwater Discharges from Construction Activity.



Stormwater retention ponds provide effective water quality control by using forebays for sediment settling, and have controlled-discharge outlets for flood control.

## Important Terms

**Owner/Operator:** The person or legal entity which owns or leases the property where construction will occur.

**Qualified Professionals:** Professional Engineers, Landscape Architects and Certified Professionals in Erosion and Sediment Control are qualified to develop and certify SWPPPs and inspect construction sites.

**TMDL and 303(d) Waterbodies:** Section 303(d) of the Clean Water Act requires states to identify Impaired Waters where specific designated uses are not fully supported. In order to restore and protect these Impaired Waters, Total Maximum Daily Loads (TMDLs) or other strategies have been developed to reduce the input of pollutants that restrict waterbody uses.

**Town of Huntington Stormwater Management Program Plan  
D12: Sample Active Construction Permit Card (front)**



**TOWN OF HUNTINGTON**

**BUILDING PERMIT NUMBER P123456**

Under the Amended Building Zone Ordinance and Building Code

Date **07/08/2016**

PERMISSION IS HEREBY GRANTED TO:

JOHN SMITH  
1 ELM ST  
HUNTINGTON NY 11743

JOHN SMITH  
1 ELM ST  
HUNTINGTON NY 11743

FOR: Erect 1 Story Single Family Dwelling w/ Unfinished Basement, 4 Bedrooms, 3 Bathrooms, Roofed Over Front Porch & Cellar Entrance - SCDHS - ELH - Drywell Required - Site & Drainage Letter

**P123456**

JOHN SMITH

LOCATION:

TAX MAP	SECTION	BLOCK	LOT	ZONING
	009.00	02.00	019.000	CA

COST OF CONSTRUCTION \$ 202,110.00  
FEE PAID BY HOLDER \$ 2,260.00 PLUS C.O. \$ 50.00

SQUARE FOOT AREA			
FIRST FLOOR	1801	SECOND FLOOR	
CELLARUN	1801	DECKR	200

PURSUANT TO APPLICATION AND PLANS  
APPROVED BY THE DIRECTOR, DEPARTMENT OF  
ENGINEERING, PLUMBING AND HEATING

DIRECTOR

PER

MAP OF :

SEC. BLOCK LOT No.  
Occupancy Code

- NOTE: A certificate of occupancy is required not more than ten days after completion of this building or alteration and before the building is occupied.
- NOTE: The holder of this permit is requested to familiarize himself with the ordinance under which said permit is granted. Any violation of the provisions of said ordinance shall render the offender liable for the penalties provided therefor, and in addition thereto may result in the immediate revocation of the permit. This permit must be kept on the premises until full completion of the work authorized.

Application No. **A123456**  
Application Date. **07/08/2016**  
Name SMITH, JOHN  
and 1 ELM ST  
Address HUNTINGTON NY 11743  
of Owner  
Location  
Map of :

Permit No. **P123456** CO No.  
Date **07/08/2016** Zone **CA**  
Cost \$ 202,110.00  
Fee \$ 2,260.00 C.O. \$ 50.00

Sec. Block Lot

SEC.	BLOCK	LOT
009.00	02.00	019.000

INSPECTOR	U.C. NO.	
FINAL BLDG ENG	FINAL SURVEY	Erect 1 Story Single Family Dwelling w/ Unfinished Basement, 4 Bedrooms, 3 Bathrooms, Roofed Over Front Porch & Cellar Entrance - SCDHS - ELH - Drywell Required - Site & Drainage Letter
PLBG. PERMIT NO.	PLBG. FINAL	
FIRE SPRINKLER	FINAL	FIRST FLOOR 1801 SECOND FLOOR
BD/HEALTH NO.	FINAL BD/H	ELLARUNF 1801 DECKR 200
PLANNING BOARD	PLANNING FINAL	Occupancy Code

**Appendix D12: Sample Permit Card (back)**

<b>BUILDING</b>	<b>Ftg:</b>	<b>Fnd:</b>	<b>Frmg:</b>	<b>Frpl:</b>	<b>Insul:</b>	<b>Rough:</b>	<b>Fnl:</b>
<b>ENGINEERING:</b>	<b>Fine Grading and Seeding:</b>					<b>Drng:</b>	
<b>PLUMBING:</b>	<b>Underground:</b>		<b>Bldg. Sewer:</b>		<b>Rough:</b>	<b>Final:</b>	
<b>FIRE:</b>	<b>Comm'l.</b>		<b>Tank;</b>				
<b>FIRE EXTINGUSHING SYSTEMS:</b>							
<b>ENGINEERING APPROVAL:</b>						<b>Date:</b>	
<b>TEMPORARY C/O</b>						<b>Exp. Date:</b>	
<b>BUILDING:</b>						<b>Date:</b>	
<b>DIRECTOR:</b>						<b>Date:</b>	

EBH - 3.2.23B