STORMWATER POLLUTION PREVENTION PLAN

FOR COMPLIANCE WITH NYSDEC GENERAL PERMIT GP-0-15-002

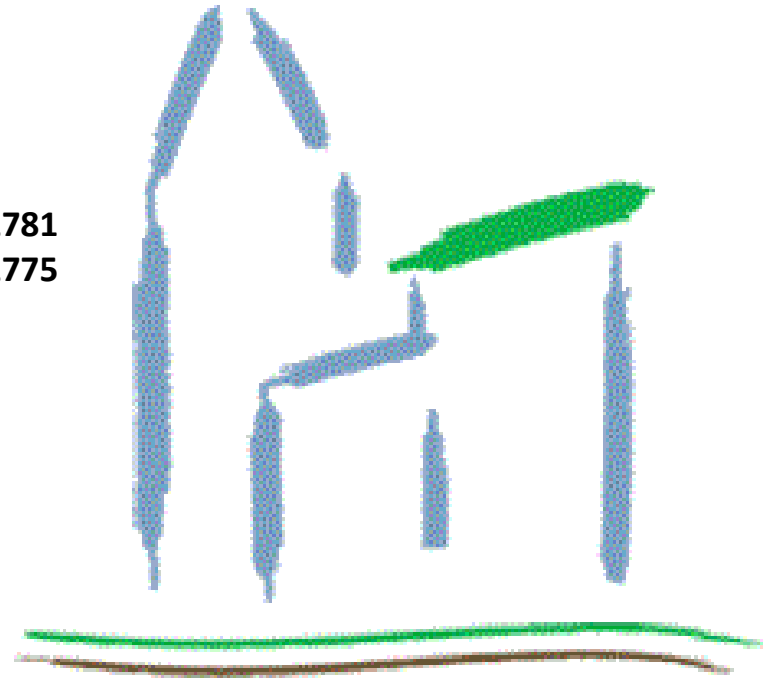
PREPARED FOR:

BALDOR SPECIALTY FOODS

155 FOOD CENTER DRIVE
BRONX, NEW YORK 10474

SITE LOCATION:

155 FOOD CENTER DRIVE
BRONX, NEW YORK 10474
PART OF LOT 500 OF BLOCK 2781
PART OF LOT 279 OF BLOCK 2775
BRONX COUNTY, NEW YORK



PREPARED BY:

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DR PROJECT NO. 10579-001

SEPTEMBER 11, 2015
REVISED November 5, 2015

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Dwg # C-891.00 “Erosion Control Notes & Details”

Appendix D - NYS DEC GP-0-15-002

New York State Department of Environmental Protection SPDES General Permit for Stormwater Discharges From Construction Activities Permit No. GP-0-15-002

1. Introduction and Report Overview

This Stormwater Pollution Prevention Plan (SWPPP) is prepared for the herein-described project as part of the requirements for coverage under the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). New York City (NYC) is not a regulated Municipal Separate Storm Sewer System (MS4) thus stormwater discharges as a result of construction activities are approved by NYSDEC. The NYSDEC General Permit covers discharges associated with construction activities involving one (1) or more acres of soil disturbance.

The "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources" ("Watershed Regulations") provide standards to ensure that stormwater discharges from certain construction activities within the NYC watershed do not degrade the quality of the City's water supply. The Watershed Regulations are codified under Title 10 of the New York Codes, Rules and Regulations Part 128; Chapter 18 of Title 15 of the Rules of City of New York. The design of erosion and sediment control and stormwater management measures shall be consistent with following publications:

- New York State Standards and Specifications for Erosion and Sediment Control (August 2005) ("ESC Standards"). A copy of this publication is available at http://www.dec.ny.gov
- New York State Stormwater Management Design Manual (January 2015) ("Design Manual"). A copy of this publication is available at http://www.dec.ny.gov

Any material conflicts between this SWPPP and the site plans, specifications or other documentation must be brought to the attention of the design professional. The Operator is responsible for maintaining this SWPPP on site as well as additional documentation associated with this report including the Notice of Intent (NOI); the NYSDEC NOI Acknowledgement Letter; the General Permit; the MS4 Acceptance Form; and all inspection reports.

This SWPPP outlines general maintenance requirements and responsibilities as well as specific requirements for individual stormwater management practices incorporated into the site design. This SWPPP also contains specific preventative maintenance tasks, schedules and contact information for the persons responsible for preventative and corrective maintenance for measures included herein.

2. Responsible Parties

The Owner/Operator, General Contractor(s) and Subcontractor(s) shall comply with all measures set forth in this SWPPP, implement pollution controls measures as outlined or referenced herein, and shall assume all stormwater and erosion control responsibilities for the subject property.

Operator:

Baldor Specialty Foods
Manny Lopes
155 Food Center Drive
Bronx, NY 10474
(718) 860-9100

Owner:

New York City Economic Development Corporation
Richard Cote
110 William Street
New York, NY 10038

General Contractor:

Baldor Specialty Foods
Manny Lopes
155 Food Center Drive
Bronx, NY 10474
(718) 860-9100

SWPPP Prepared By:

Dresdner Robin
Joseph Mele, PE, CPESC
1 Evertrust Plaza
Jersey City, NJ 07302
(201) 266-5687

2.1. Plan Distribution

Copies of this SWPPP will be provided to the Owner and Operator of the stormwater management measures and to all reviewing agencies. Upon completion of construction, the following reviewing agencies shall receive a copy of this SWPPP and also an updated copy whenever the SWPPP has been revised:

New York State Department of Environmental Conservation
Bronx Regional Office
1 Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

New York City Soil & Water Conservation District
121 Sixth Avenue
Suite 501
New York, NY 10013

3. Project Description

3.1. General Site Information

The site is located at 155 Food Center Drive and contains portions of two parcels, namely, a portion of Lot 500 in Block 2781 and a portion of Lot 279 in Block 2775 in the Hunt's Point section of the Bronx, Bronx County, New York, Community District 2 collectively referred to as the "project site".

The westerly portion of the site, which contains approximately 9.7 acres is depicted on a survey titled "Leasehold Survey, part of Block 2781 Lot 500 & part of Block 2775 Lot 279, Bronx County, State of New York" prepared by Mercator Land Surveying. This survey depicts the extents of the former Halleck Industrial Development Site and delineates what was referred to in an EAS Report (referenced herein) as a portion of Parcel E. Parcel E is further partitioned into tracts identified as Operable Units, namely Site E OU-1, Site E OU-2 and Site E OU-3. These three tracts are indicated on the aforementioned survey. Site E OU-3 is nearest to Halleck Street. Site E OU-2 is in the middle portion of the overall site, and Site E OU-1 is on the east-most portion of the overall site and contains the existing Baldor food distribution and storage facility. Refer to Figure 5 of this document for the Hunts Point Fact Sheet Map showing all three tracts and Site Location Map of Operable Unit 3.

The project site is bordered by Food Center Drive to the north and east, Halleck Street to the west and Viele Avenue to the south and contains approximately 23 acres of land. The site is located in the Manufacturing (M3-1) District. The project site is generally surrounded by industrial uses including manufacturing. The Hunts Point Cooperative (Meat) Market is adjacent to the south. The project site is occupied by a 193,587 square foot food distribution and storage warehouse. Additional smaller buildings occupy the site including a maintenance building and guard booth. The vast majority of the site is improved with paved surfaces for vehicular parking and circulation throughout the site. The remaining portion of the project site is vegetated and overgrown. Portions of the overgrown areas were previously occupied by buildings and structures. Remnants of foundations and walls still occupy those areas beneath the vegetation.

The site's topography is relatively flat. Grades vary from 15 feet to 18 feet (NAVD88 datum). No natural steep slopes appear to exist on the site. The Soil Survey of Bronx County classifies the on-site soil as Laguardia, LUA, and Urban Land, UtA and UmA, hydrologic soil group D (see Figure 3).

The site is located within Atlantic Ocean – Long Island Sound Major Drainage Basin No. 17 and HUC 8 Hydrologic Unit Code 02030203 known as Long Island Sound drainage basin. The Revised Preliminary Flood Insurance Rate Maps for the City of New York (Community Panel Numbers 3604970111G and 3604970092G) dated January 30, 2015 indicates that the eastern portion of the project site is located within Zone X (see Figure 2). Zone X is defined as "areas of 0.2% annual chance flood; areas of 1% annual flood chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. The remainder of the site is outside the 0.2% annual chance floodplain. The flood elevation mapped closest to the project site is at 13 feet (NAVD88).

Rainfall data specific to the project site was obtained from the Northeast Regional Climate Center (NRCC) as follows:

Storm Frequency	***Type III, 24-Hour Rainfall***
Water Quality Rainfall	1.5 inches
2 year event	3.4 inches
10 year event	5.1 inches
25 year event	6.4 inches
100 year event	9.1 inches

An Environmental Quality Review, Environmental Site Assessment ("EAS") was prepared by Whitestone Associates dated Feb 26, 2015. Said EAS contains information relative to historic and cultural resources and based upon NYC Landmarks Preservation Commission letter dated January 6, 2015 contained in said EAS. No architectural or archeological historic resources are present at the project site. In addition, the EAS indicates that based on a review by the NYS Office of Parks Recreation and Historic Preservation Cultural Resource Information System online application, the project site does not contain and State-listed historic or cultural resources.

The EAS also addresses information relative to natural resources. Based upon the EAS, a review of the NYSDEC's Environmental Resource Mapper online application, no state-listed natural resources were identified on the project site. Although 0.64 acres of isolated freshwater emergent wetland is identified on the US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Wetland Mapper, the EAS confirms that the NYSDEC verified that no natural resources are present at the project site and no adverse impacts to natural resources and anticipated (see email correspondence in Appendix B).

3.2. Project Description

The improvements in this project shall consist of the following:

- Clearing and grubbing of site vegetation on the western half of the site;
- General grading in cleared areas (Site E OU-1, Site E OU-2, Site E OU-3);
- Demolish and recycling of pre-existing concrete foundation remains on the west portion of the site;
- Performing various test pits or borings for investigatory purposes (i.e. depth to groundwater and infiltration rate);
- Remove and relocate an existing underground detention basin to clear area for future building expansion;
- Remove existing pavement, select excavations and relocate existing subsurface utilities in the area of future building expansion;
- Construct temporary loading dock facilities in the area of the proposed building footprint to accommodate interim operations during site and building renovations.

- Construct building expansion including steel piles, pile caps, grade beams, foundation, floor slab, building utility connections and other associated facilities.
- Prepare, grade and pave the surface on the south side of existing Baldor building (south of Site E OU-2 and Site E OU-3).
- Prepare, grade, pave and provide various utility services and stormwater facilities for a truck parking lot expansion from Halleck Street to the proposed building expansion area as well as areas adjacent to the building addition's north and south sides (see Site Plans in Appendix C).

The work described above is clearly indicated on civil engineering plans provided herein. Additional work that may be performed includes mechanical screening of an existing soil stockpile currently located on VCP Site A OU-2.

The earthwork and grading activities associated with this project will match the existing condition as nearly as possible and will not alter existing onsite drainage patterns nor affect pollutant discharge to nearby watercourses. The future development work which is indicated on the Site Plans includes the expansion of Baldor's existing building by approximately 106,000 square feet.

The Stormwater management and Site Connection Proposal design, which is regulated by NYCDEP, is nearly complete and shall, thereafter, undergo review by the NYCDEP. Modifications to accommodate review comments by the NYCDEP will be accommodated in this SWPPP. Appropriate post-construction stormwater quality controls to meet the SPDES Construction Stormwater General Permit (CGP, GP-0-15-002) and the NYS Stormwater Management Design Manual will be designed and installed once the NYCDEP approves the stormwater management and site connection proposal design.

Construction and post-construction stormwater management measures shall be provided in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, August 2005 ("ESC Standards"), and, the New State Stormwater Management Design Manual, January 2015 ("Design Manual"). The owner/operator shall install any additional site-specific practices to protect water quality. Sediment-laden or pollutant-laden stormwater discharges from the construction activity to NYCDEP separate storm sewers and to the East River is a violation of the NYS Environmental Conservation Law and the NYS stormwater regulations.

The owner/operator must file a Notice of Intent ("NOI") for the SPDES CGP with the NYSDEC Bureau of Water Permits in Albany, for informational purposes only, for stormwater discharges from construction activities during the remediation portion of the project. For all post-remediation construction activities, the owner/operator must file a separate NOI and obtain coverage under the SPDES CGP. The informational NOI should be sent to:

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

3.3. Site-Specific References

- Report titled "New York City Environmental Quality Review, Environmental Assessment Statement Summary Halleck Industrial Development Parcel at Hunts Point…" dated February 26, 2015 prepared by Whitestone Associates, Inc.
- Phase II Site Assessment report titled "Third Operable Unit Portion of Parcel E [E OU-3]" dated 2005 by HDR Engineering.
- Health and Safety Plan prepared by Baldor Specialty Foods.
- Survey titled "ALTA/ASCM Land Title Survey, 155 Food Center Drive" dated 09-30-2015 last revised 10-09-15 by Control Point Associates, Inc.

4. Sequence and Timing of Construction Activities

The activities anticipated under this project are listed above. The contractor will make efforts to limit vast unstabilized areas in order to reduce the magnitude and potential for transport of sediments due to erosion. This, in turn, would preserve the quality of surface waters and prevent sedimentation onto adjacent parcels. The following described the general sequence of construction operations:

1. Installation of perimeter silt fence and stabilized construction entrance;
2. Install inlet protection measures;
3. Clear-cutting and removal of trees and large vegetation;
4. Grubbing of tree roots;
5. Removals of concrete foundation remnants and wall remains, crushing and reuse as aggregate;
6. Fine grading to level soil surface areas and level surface gores created from tree removal activities;
7. Prepare, grade and install pavement surfacing on south side of Baldor building;
8. Perform test pits and/or borings on Sites E OU-1, E OU-2 and E OU-3, if deemed necessary;
9. Relocate an underground detention basin to accommodate the future building expansion;
10. Removals in area of proposed building addition including pavement and existing utilities;
11. Install select components of the proposed building addition area including the temporary loading dock (approx 200' x 18'), piles, pile caps, grade beams, etc. and addition's underground plumbing.

12. Construction of new truck parking lot on the west side of the site by performing earthwork activities, utility installation, stormwater management and conveyance systems, lighting, pavement and other site improvements as indicated on the Ste Plans included herein;

13. Continue construction of building expansion in phases, if necessary, to maintain uninterrupted operation of the current food distribution facility.

14. Final permanent site stabilization and install landscaping, signage, striping, removal of construction debris and materials, demobilization and removal of erosion control measures.

Areas left undisturbed for more than 14 days shall be temporarily stabilized by seeding or other means of stabilization. Temporary erosion control measures shall remain in place until the area(s) served are properly stabilized.

5. Control Measures during Construction (Temporary)

5.1. Hazardous Materials Handling

The project site that includes Sites E OU-1 and E OU-2 were previously remediated during redevelopment activities and included the installation of a site-wide cap. Site E OU-1 has a Deed Notice under a Voluntary Cleanup Agreement (VCA) between NYCEDC and NYSDEC. Any disturbances to the existing cap will require NYSDEC notification and adherence to the existing Site Management Plan (SMP) and approval. Details of the soil and groundwater environmental conditions are provided in a Phase II Site Assessment titled "Third Operable Unit Portion of Parcel E [E OU-3]" performed in 2005 by HDR Engineering.

A subsequent Alternatives Analyses report for Site E OU-3 was prepared in April 2013. The above-referenced reports conclude that any excess soils generated during construction activities or excavated coal tar waste encountered during site disturbance activities, will be properly transported and disposed to a regulated facility in accordance with the NYSDEC-approved Site Management Plan (SMP). According to NYSDEC under the SMP, a Health and Safely Plan (HASP) and an air particulate monitoring program will be implemented during site disturbance activities. A HASP was prepared and shall be referred to during site work activities. Additionally, soil erosion and sediment control measures shall be implemented to reduce mobility of contaminants to the surrounding environment.

5.2. Erosion and Sediment Controls

Erosion control measures including a stabilized construction entrance, inlet protection devices, silt fence, temporary vegetative stabilization and other measures will be implemented in accordance with New York State Standards and Specifications for Erosion and Sediment Control. The following erosion and sediment control measures are the most likely Best Management Practices (BMPs) anticipated for implementation during sitework activities and disturbances:

Vegetative Cover or other protective measures are necessary to prevent the loss of soil from the erosive forces of wind and water. Where a re-seeding program has not been effective in maintaining a

non-erosive vegetative cover, or other factors have exposed soils to erosion, corrective steps should be initiated to prevent further loss of soil and any subsequent danger to the stability of the facility. Proper procedures will be implemented in order to repair and maintain such areas if they appear.

Silt Fence is a temporary barrier of geotextile fabric installed on the contours across a slope used to intercept sediment laden runoff from small drainage areas of disturbed soil. The purpose of a silt fence is to reduce runoff velocity and effect deposition of transported sediment load. Limits imposed by ultraviolet stability of the fabric will dictate the maximum period the silt fence may be used (approximately one year).

Silt fence shall be installed around the area of disturbance before grading operation commence. The contractor shall maintain the silt fence by removing "bulges" that may develop by removing the accumulated sediments against the fence, or when sedimentation reaches 25% of the as-installed, exposed height of the fence. Fabric shall be replaced whenever deteriorated or is the effectiveness of the fabric is reduced (no more than 6 months). Silt fence should remain in place until disturbed areas have been permanently stabilized. Sedimentation accumulated at the fence shall be removed prior to removal of the fence. Silt fence shall be inspected twice a week (separated by a minimum of 2 calendar days) and additional inspection within 24 hours following a ½" rainfall event.

Dust Control to prevent surface and air movement of dust from disturbed soil. Dust will be controlled by applying potable water to applicable areas and minimized as needed to avoid ponding. Mulch, including gravel mulch, is also a fast and effective means of controlling dust. Dust control will be implemented once soil disturbance has been initiated.

Storm Drain Inlet Protection is a temporary, somewhat permeable barrier, installed around inlets in the form of a fence, berm or excavation around an opening, trapping water and thereby reducing the sediment content of sediment laden water by settling. This measure prevents heavily sediment laden water from entering a storm drain system through inlets.

Remove sediment from the pool area as necessary with care not to undercut or damage the filter fabric. Upon stabilization of the drainage area, remove all materials and unstable sediment and dispose of properly. Bring the adjacent area of the drop inlet to grade, smooth and compact and stabilize in the appropriate manner to the site. If straw bales are used in lieu of filter fabric, they should be placed tight with the cut edge adhering to the ground at least 3 inches below the elevation of the drop inlet. Two anchor stakes per bale shall be driven flush to bale surface. Straw bales will be replaced every 4 months until the area is stabilized.

Stabilized Construction Entrance is a pad of aggregate underlain with geotextile located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, sidewalk, or parking area. The purpose of stabilized construction entrance is to reduce or eliminate the tracking of sediment onto public rights-of-way or streets. A stabilized construction entrance shall be used at all points of construction ingress and egress.

The entrance shall be maintained in a condition which will prevent tracking of sediment onto public rights-of-way or streets. This may require periodic top dressing with additional aggregate. All sediment spilled, dropped, or washed onto public rights-of-way must be removed immediately. When necessary, wheels must be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device. All sediment shall be prevented from entering storm drains, ditches, or watercourses.

Sump Pit can be used to remove excessive water from excavations. A perforated vertical standpipe is placed in the center of the excavation to collect filtered water. Then the water is pumped and discharged to a suitable area. If pumped water is directed into a storm inlet, it shall be filter by use of filter cloth (i.e. Mirafi 100X, PolyFilter GB or a filter cloth with an equivalent sieve size between 40 and 80) wrapped around the standpipe to ensure clean water discharges into the drainage inlet.

Perimeter Dike/Swale is a temporary ridge of soil excavated from an adjoining swale located along the perimeter of the site or disturbed area. The purpose of a perimeter dike/swale is to prevent off site storm runoff from entering a disturbed area and to prevent sediment laden storm runoff from leaving the construction site or disturbed area. The perimeter dike/swale shall not be constructed outside the property lines without obtaining legal easements from affected adjacent property owners. A design is not required for perimeter dike/swale.

6. Good Housekeeping

The contractor shall ensure supervisors are properly trained in good housekeeping practices during construction.

Solid Waste generated during construction shall be disposed regularly at a suitable landfill or transfer station. Dumpsters and/or collection areas shall be carefully stored and placed away from storm drains, structures, waterways and/or environmentally sensitive areas. The trash collections areas shall be inspected weekly and after storm events.

Portable self-contained chemical toilets shall be provided for all workers when permanent toilets are not available. The portable toilets shall be maintained and cleaned regularly, and waste properly disposed. The facilities shall be located in an accessible and visible location. A waste management company may be utilized to routinely maintain and sanitize the facilities.

Spill Prevention practices shall be followed during sitework activities to reduce the risk of spills and/or other accidental exposure of substances which may affect living organisms and property. Upon commencement of sitework activities, the general contractor shall take an inventory of all equipment and containers containing hazardous or toxic substances and maintain a record of such within the SWPPP. In the event of a spill, the Spill Response Team shall refer to the inventory in order to identify the substance. A storage location shall be designated on site where such substances shall be stored. Workmen shall return said substances to the designated area following use. Used chemicals shall be

properly disposed. Container for said substances shall be inspected to ensure proper containment and prevention from leakage.

Equipment used on site shall be operational and inspected regularly for leaks. Portable equipment and tools shall be stored within a trailer, storage unit or other contained/secured space at the end of each workday.

Mosquito Breeding Habitats shall be managed. The most effective mosquito control program is one that eliminates potential for breeding habitat. Almost any stagnant pool of water can be attractive to mosquitoes and the source of a large mosquito population. Ponding water in areas such as open cans and bottles, debris and sediment accumulations and areas of ground settlement provide suitable locations for mosquito breeding. Trained on-site personnel shall walk the site and remove or repair possible features that can lead to mosquito breeding. A maintenance program dedicated to eliminating potential breeding areas is certainly preferable to controlling the health and nuisance effects of mosquitoes.

Snow and Ice can threaten the functioning of the proposed drainage area. Providing the equipment, materials and personnel to monitor and remove snow and ice from these critical areas is necessary to assure the continued functioning of the facility during the winter months.

7. Inspections and Recordkeeping

Prior to the commencement of construction activity, the owner or operator must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The owner or operator shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The owner or operator shall ensure that at least one trained contractor is on site on a daily basis when soil disturbance activities are being performed.

The Owner or Operator shall have a Qualified Inspector conduct site inspections. A "Qualified Inspector" is a person that is knowledgeable in the principals and practices of erosion and sediment control such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity.

Weekly visual inspections of all BMPs on the construction site area will be performed by the project's SWPPP Inspector (i.e. Qualified Inspector) at least once every 7 calendar days, and twice per week during periods when the cumulative of non-stabilized disturbance exceeds 5 acres. The SWPPP

Inspector shall document the inspections using digital photographs taken during inspections to document BMPs, problems identified, and progress in implementing the SWPPP. Photographs will help provide documentation to the DEC that maintenance is being performed. The Designated Qualified Inspector will conduct the inspections and will have the sole authority over the appropriateness and adequacy of all required stormwater management controls during construction.

The weekly inspections by the SWPPP Inspector are intended to verify that the in-place BMPs are in good condition and are minimizing erosion and sedimentation. These inspections will also recommend whether corrective actions to established BMPs are required or whether additional BMPs are necessary to prevent stormwater contamination (based on unanticipated site conditions).

Completed forms will be provided to the on-site supervisor and maintained at the Owner's office and/or an appropriate on-site location during the entire construction project. The General Contractor shall perform post-rainfall inspections and shall perform any required remedial actions identified as a result of the inspections. The day-to-day erosion control activities on the site will be monitored by the General Contractor. It is recommended that a rain gage be installed at the site.

Preventative and corrective maintenance shall be performed to maintain the functionality of all site stormwater management measures. Such maintenance measures shall include, but not be limited to, repairs to or replacement of structures; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; vegetation restoration; and non-vegetated lining repair or replacement. All measures will be maintained in good working order; if repair is necessary, it will be initiated within 24 hours of report.

The Operator shall maintain a detailed log of all preventative and corrective maintenance for the stormwater management measures incorporated into the design of the site. A record of all inspections and copies of all maintenance-related work orders shall also be included. Sample forms are included in the Appendices.

8. Final Stabilization (Post-Construction)

8.1. Proposed Conditions

Due to the nature of the work included under this SWPPP, the post-construction stormwater management practices are minimal. Future development and surfaces improvements (to be submitted as updates to this SWPPP) are anticipated throughout the project site. These future improvements are expected to commence immediately after completion of the activities described herein and will require approvals from various review agencies. Upon completion of the clearing and grubbing phase, soil stabilization measures such as seeding, mulching and/or stone stabilization shall be implement no more than 14 days after construction ceases to avoid exposure of erodible materials for a long period of time.

As described herein, the subject site area consists of vegetated areas and remains of old building foundations and floor slabs. Under this project's scope, clearing and grubbing of the area is proposed

as well as removals of these remnant structures. Finally, the site will be fine graded to remove ruts and provide a fairly level area. The lower perimeter of the site (located at the southwest corner) is roughly at elevation 13 (NAVD88 datum). The higher area of the site (located towards the east) is at elevation 17 (NAVD88). The proposed fine grading will generally follow the same runoff patterns as existing. A perimeter ditch/swale will be provided, if necessary, along the lower side of the site (along the southwest edges) to prevent sediments transported via runoff from migrating onto areas adjacent to, and beyond the area of disturbance.

In accordance with NYCDEP requirements and as regulated under the "Guidelines for the Construction of Stormwater Management Systems, 2012" post stormwater runoff rates require reductions to an "Allowable Flow" based on the street frontage and extents of the connecting sewer. At this time, the Allowable Flow is estimated to be 4.9 cubic feet per second for the proposed parking lot expansion area of the site. The "Developed Flow" is estimated to be approximately 34 cubic feet per second, therefore, attenuation by mean of a detention basin shall be provided. Based on said computation results, an underground detention basin containing a volume of approximately 30,000 cubic feet is anticipated. This basin is anticipated to consist of a gallery of 42 inch perforated piping in stone which will ultimately discharge into the existing separate storm sewer which lies along the south side of the site. Based on our coordination with NYCDEP, areas of the site that are currently developed will only require minor attenuation since the impact to runoff volumes are anticipated to be negligible. Construction drawings of the herein-described drainage and detention systems are provided in Appendix C.

Figure 1 Aerial Site Location Map

DRESDNER ROBIN

PROJECT:
BALDOR
FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NY, 10474

DRAWING NAME:
AERIAL SITE
LOCATION MAP

JOB No:
10579-001

DRWG Nº:
FIG.1

Q:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 SWPP FIG1 AERL.dwg Aerial Map 11/5/2015 10:25 AM MOquendo

Figure 2 FEMA FIRM Map

LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
ZONE AR	Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X — Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Limit of Moderate Wave Action
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transect line
- Culvert, Flume, Penstock or Aqueduct
- Road or Railroad Bridge
- Footbridge
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 2476000m N — 1000-meter Universal Transverse Mercator grid values, zone 18
- 600000 FT — 5000-foot grid values: New York State Plane coordinate system, Long Island zone (FIPSZONE 3104), Lambert Conformal Conic projection
- DX5510 — Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

INITIAL NFIP MAP DATE
June 28, 1974

FLOOD HAZARD BOUNDARY MAP REVISIONS
June 11, 1976

FLOOD INSURANCE RATE MAP EFFECTIVE
November 16, 1983

FLOOD INSURANCE RATE MAP REVISIONS

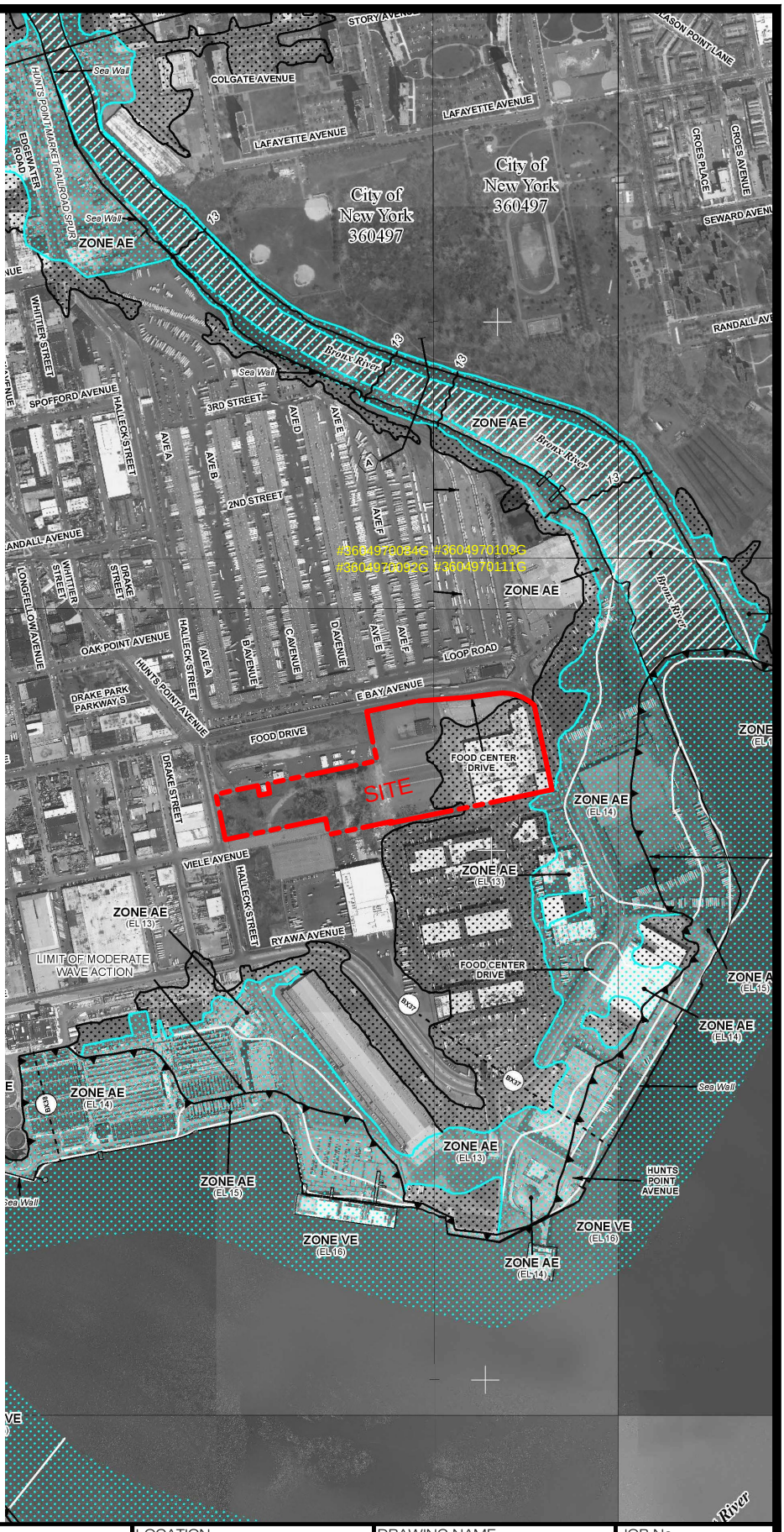
For descriptions of revisions see Notice to Users page in the Flood Insurance Study report.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 500 1000 FEET

150 0 150 300 METERS



DRESDNER ROBIN	PROJECT: BALDOR FOOD CENTER	LOCATION: 155 FOOD CENTER DRIVE LOT 500, BLOCK 2781 LOT 279, BLOCK 2775 BOROUGH OF BRONX BRONX COUNTY, NY, 10474	DRAWING NAME: FEMA FIRM (PRELIMINARY 2015)	JOB No: 10579-001	DRWG N°: FIG.2

Q:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 SWPP FIG2 FEMA 2015.dwg TB-A (8.5x11) 11/5/2015 10:24 AM MOquendo

Figure 3 Soil Survey Map

Soil Map—Bronx County, New York

SOURCE: WEB SOIL SURVEY - NATURAL RESOURCES CONSERVATION SERVICE
http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

DRESDNER ROBIN
1 EVERTRUST PLAZA, SUITE 901
JERSEY CITY, NJ 07302
T: 201.217.9200 F: 201.217.9607

PROJECT:
BALDOR
FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NY, 10474

DRAWING NAME:
SOIL SURVEY
MAP

JOB No:
10579-001

DRWG N°:
FIG.3

Figure 4 Soil Survey Map Legend

MAP LEGEND

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

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other

Special Line Features

Water Features
- Streams and Canals

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

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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

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

Soil Survey Area: Bronx County, New York
Survey Area Data: Version 4, Sep 13, 2014

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

Date(s) aerial images were photographed: Jul 23, 2014—Aug 15, 2014

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

Map Unit Legend

Bronx County, New York (NY005)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
LUA	Laguardia-Urban land complex, 0 to 3 percent slopes	4.1	16.9%
UmA	Urban land, tidal marsh substratum, 0 to 3 percent slopes	4.0	16.3%
UtA	Urban land, till substratum, 0 to 3 percent slopes	16.3	66.8%
Totals for Area of Interest		**24.4**	**100.0%**

SOURCE: WEB SOIL SURVEY - NATURAL RESOURCES CONSERVATION SERVICE http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

Figure 5 Hunts Point Fact Sheet Map

DRESDNER ROBIN

PROJECT:
BALDOR
FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NY, 10474

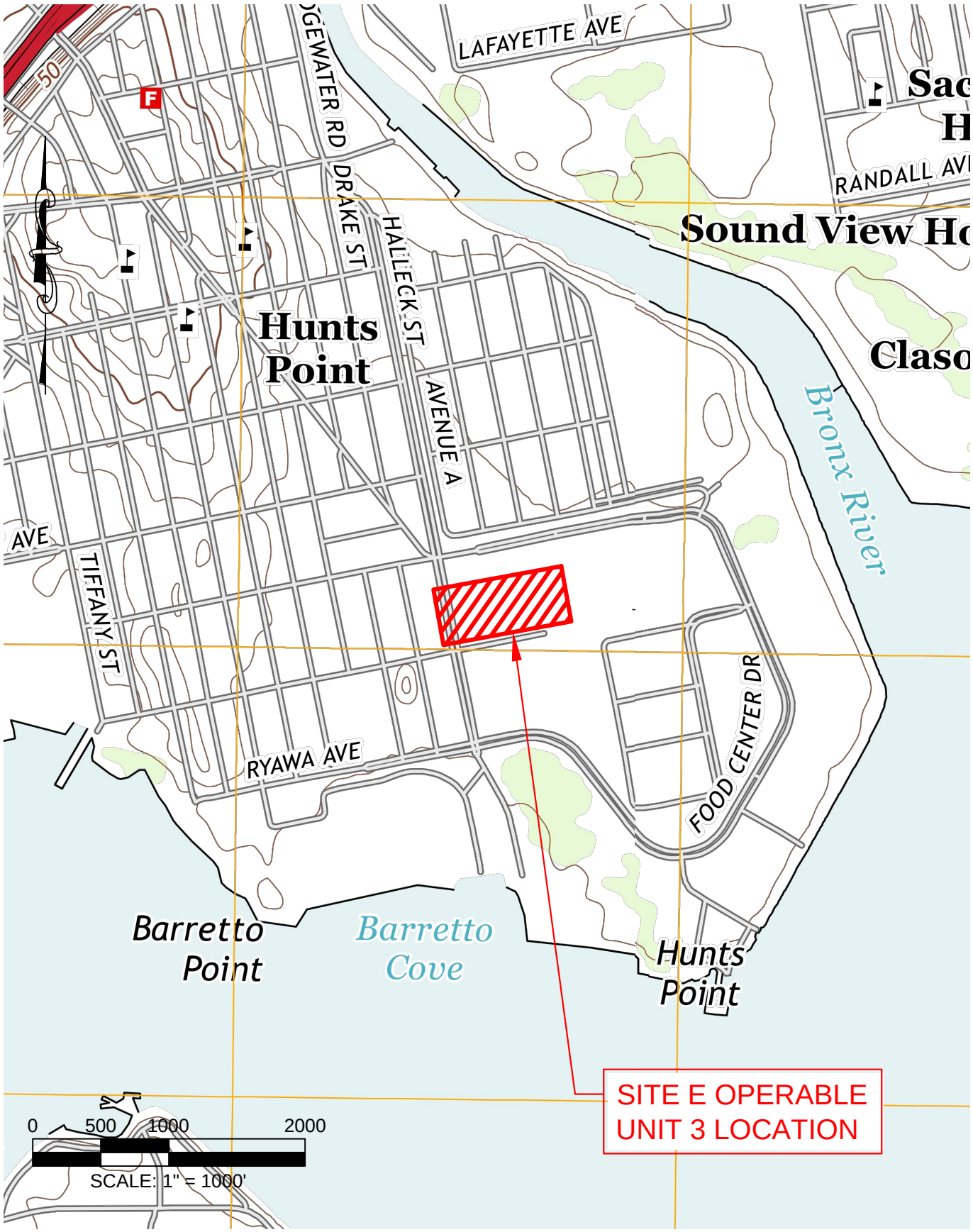
DRAWING NAME:
HUNTS POINT
FACT SHEET MAP

JOB No:
10579-001

DRWG Nº:
FIG.5

Q:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 SWPP FIG5 HUNT LOCN.dwg Aerial Map 11/5/2015 10:19 AM MOquendo

Figure 6 Hunts Point USGS Map



DRESDNER ROBIN	PROJECT: BALDOR FOOD CENTER	LOCATION: 155 FOOD CENTER DRIVE LOT 500, BLOCK 2781 LOT 279, BLOCK 2775 BOROUGH OF BRONX BRONX COUNTY, NY, 10474	DRAWING NAME: HUNTS POINT USGS MAP	JOB No: 10579-001 DRWG Nº: FIG.6

Q:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 SWPP FIG6 HUNT USGS.dwg Aerial Map 11/5/2015 10:22 AM MOquendo

Figure 7 Site E Operable Units Map

DRESDNER ROBIN

PROJECT:
BALDOR
FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NY, 10474

DRAWING NAME:
SITE E
OPERABLE UNITS

JOB No:
10579-001

DRWG N°:
FIG.7

Q:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 SWPP FIG7 HUNT LOCN.dwg FIG.7 10/29/2015 6:06 PM MOquendo

Appendix A - Stormwater Construction Site Inspection Log

Stormwater Construction Site Inspection Log

General Information			
Project Name			
NPDES Tracking No.		**Location**	
Date of Inspection		**Start/End Time**	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			
Describe present phase of construction			

Type of Inspection:
❑ Regular ❑ Pre-storm event ❑ During storm event ❑ Post-storm event

Weather Information

Has there been a storm event since the last inspection? ❑Yes ❑No
If yes, provide:
Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in):

Weather at time of this inspection?
❑ Clear ❑Cloudy ❑ Rain ❑ Sleet ❑ Fog ❑ Snowing ❑ High Winds
❑ Other: Temperature:

Have any discharges occurred since the last inspection? ❑Yes ❑No
If yes, describe:

Are there any discharges at the time of inspection? ❑Yes ❑No
If yes, describe:

Site-specific BMPs

- *Number the structural and non-structural BMPs identified in your SWPPP on your site map and list them below (add as many BMPs as necessary). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required BMPs at your site.*
- *Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.*

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
1	Stabilized Construction Exits	❑Yes ❑No	❑Yes ❑No	
2	Silt Fence	❑Yes ❑No	❑Yes ❑No	
3	Combined Staging and Materials Storage Area	❑Yes ❑No	❑Yes ❑No	

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
4	Dumpsters and Sanitary Facilities	❑Yes ❑No	❑Yes ❑No	
5	Vegetated Swale	❑Yes ❑No	❑Yes ❑No	
6	Sediment Trap	❑Yes ❑No	❑Yes ❑No	
7	Topsoil Stockpile	❑Yes ❑No	❑Yes ❑No	
8	Storm Drain Inlets	❑Yes ❑No	❑Yes ❑No	
9	Concrete Washout Area	❑Yes ❑No	❑Yes ❑No	
10		❑Yes ❑No	❑Yes ❑No	
11		❑Yes ❑No	❑Yes ❑No	

Overall Site Issues

Below are some general site issues that should be assessed during inspections. Customize this list as needed for conditions at your site.

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	❑Yes ❑No	❑Yes ❑No	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	❑Yes ❑No	❑Yes ❑No	
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	❑Yes ❑No	❑Yes ❑No	

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
4	Are discharge points and receiving waters free of any sediment deposits?	❑Yes ❑No	❑Yes ❑No	
5	Are storm drain inlets properly protected?	❑Yes ❑No	❑Yes ❑No	
6	Is the construction exit preventing sediment from being tracked into the street?	❑Yes ❑No	❑Yes ❑No	
7	Is trash/litter from work areas collected and placed in covered dumpsters?	❑Yes ❑No	❑Yes ❑No	
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	❑Yes ❑No	❑Yes ❑No	
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	❑Yes ❑No	❑Yes ❑No	
10	Are materials that are potential stormwater contaminants stored inside or under cover?	❑Yes ❑No	❑Yes ❑No	
11	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	❑Yes ❑No	❑Yes ❑No	
12	(Other)	❑Yes ❑No	❑Yes ❑No	

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

Check box if:

- ❑ No incidents of non-compliance were found, and I certify that this inspection found this site to be fully in compliance with the Stormwater Pollution Prevention Plan (SWPPP)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name and title: _____

Signature:_____ Date:_____

Appendix B - email regarding Wetlands

Joseph Mele

From: Michael Muzyk [Michael@baldorfood.com]
Sent: Wednesday, October 28, 2015 4:33 PM
To: Oliver (Cybul Wilhelm); Joseph Mele
Subject: FW: Hunts Point Wetland and Endangered species

Michael Muzyk
President

Baldor Specialty Foods
155 Food Center Drive | Bronx, NY 10474
Main: (718) 860-9100 | Fax: (718) 328-9944
www.baldorfood.com | facebook | instagram | twitter

From: Kevin McCarty [mailto:kmccarty@integral-corp.com]
Sent: Monday, December 22, 2014 9:25 AM
To: Michael Muzyk
Subject: Hunts Point Wetland and Endangered species

Michael, I have word back from DEC there are no wetlands on the parcel and they are checking now on the endangered species. Hope to get word very shortly.
Kevin

Please note my new direct dial number below

Kevin McCarty | Principal
Integral Consulting Inc. | www.integral-corp.com
61 Broadway, Suite 1601 | New York, NY 10006
Direct: 212.440.6714 | Cell: 917.510.5147 | Fax: 212.962.4302

HEALTH ENVIRONMENT TECHNOLOGY SUSTAINABILITY

Appendix C –Civil Engineering Plans

"Leasehold Survey" by Mercator Land Surveying

"ALTA/ACSM Land Title Survey" by Control Point (2 sheets)

Dwg # C-300.00 "Master Site Plan"

Dwg # C-400.00 "Master Grading & Drainage Plan"

Dwg # C-401.00 "Grading & Drainage Plan (West)"

Dwg # C-402.00 "Grading & Drainage Plan (East)"

Dwg # C-810.00 "Removals & Erosion Control Plan"

Dwg # C-820.00 "Erosion Control Plan"

Dwg # C-891.00 "Erosion Control Notes & Details"

General Notes

This survey is based upon field investigations and surveys conducted by Mercator Land Surveying ending on February 23rd, 2015 by and/or under the direct supervision of the signed licensed surveyor.

1. The horizontal datum is the North American Datum of 1983 (CORS - Epoch 2011) -- NAD83(2011) The projection is New York - Long Island (3104).
2. The vertical datum is the North American Vertical Datum of 1988 (NAVD88).
3. The NYC DOB will only accept surveys in the NAVD88 for applications made after Jan 6th, 2014 as per local law 96/13.
4. Project control was determined using Leica dual-frequency GPS receivers on February 23rd, 2015. Geoid12A was the model used to determine geoid separation values. The reference monuments were:
   a. NYQN (PID# DI0616) CORS established by NYSDOT and adjusted by NGS
      - N 40°43'10.26182"
      - W 73°43'48.26660"
      - Ellipsoid Height -0.403 meters
5. All units shown hereon are US Survey feet, in whole or decimal values. 1 meter = 39.37/12 Survey Feet.
6. All values shown on the survey are ground values.
   a. Scale factor is 0.999995156 & elevation factor is 1.00000492
   b. Combined factor is 1.00000081
   c. Convergence 0 4' 42.37969
   d. The geoid separation is 103.10'
7. There are no visible streams or watercourses visible at the time of the survey.
8. The property in question (PIQ) is located in Flood Hazard Zone X (0.2% annual chance flood) as depicted on the NYC Preliminary FIRM Data Viewer accessed on March 13th, 2015

Description "A"

Being a part of Block 2775F Lot 279 situate, lying, and being in the Borough of Bronx, City and State of New York, bounded and more particularly described as:

COMMENCING at the intersection of the southerly right-of-way of Food Center Drive (90' wide) with the easterly right-of-way line of Halleck Avenue (100' wide) and running thence:

A. Along the easterly right-of-way line of Halleck Avenue, S 11°22'38" E, 312.89' to the point of true BEGINNING, thence;

1. Along the northerly lot line, N 78°37'22" E, 68.64' to a point on the centerline of former Hunts Point Avenue, thence;
2. Along the centerline, S 38°13'49" E, 321.83' to a point on the southerly lot line and being the northerly line of former Viele Avenue, thence;
3. Along the southerly lot line, S 78°37'22" W, 214.01' to a point on the easterly right-of-way line of Halleck Avenue, thence;
4. Along the right-of-way line, N 11°22'38" W, 287.12' to the point of true BEGINNING.

Containing 40,578 Sq Ft / 0.9315 Ac more or less.

Description "B"

Being a part of Block 2781 Lot 500 situate, lying, and being in the Borough of Bronx, City and State of New York, bounded and more particularly described as:

COMMENCING at the intersection of the southerly right-of-way of Food Center Drive (90' wide) with the easterly right-of-way line of Halleck Avenue (100' wide) and running thence:

A. Along the easterly right-of-way line of Halleck Avenue, S 11°22'38" E, 312.89' to a point, thence;
B. Along the prolongation of Lot 400, N 78°37'22" E, 68.64' to a point on the centerline of former Hunts Point Avenue and being the point of true BEGINNING, thence;

1. Continuing along the same, N 78°37'22" E, 195.37' to a point, thence;
2. Continuing along Lot 400, S 11°22'38" E, 61.13' to a point, thence;
3. Continuing along the same, N 78°37'22" E, 64.00' to a point, thence;
4. Continuing along the same, N 11°22'38" W, 61.13' to a point, thence;
5. Continuing along the same, N 78°37'22" E, 692.04' to a point, thence;
6. Continuing along the same, N 11°22'38" W, 312.89' to a point on the southerly right-of-way line of Food Center Drive, thence;
7. Along the southerly right-of-way line, N 78°37'22" E, 124.94' to a point on the westerly line of the Baldor leasehold, thence;
8. Along the westerly leasehold line, S 11°22'38" E, 709.00' to a point on the northerly line of the Meat Market leasehold, thence;
9. Along the northerly leasehold line, S 78°37'22" W, 109.53' to a point, thence;
10. Continuing along the same, N 11°22'38" W, 9.00' to a point, thence;
11. Continuing along the same, S 78°37'22" W, 400.47' to a point on the easterly line of former Viele Avenue, thence;
12. Along the line of former Viele Avenue, N 11°22'38" W, 100.00' to a point, thence;
13. Continuing along the same, S 78°37'22" W, 420.99' to a point on the centerline of the former Hunts Point Avenue, thence;
14. Along the centerline, N 38°13'49" W, 321.83' to point of true BEGINNING.

Containing 375,340 Sq Ft / 8.6166 Ac more or less.

LINETYPES

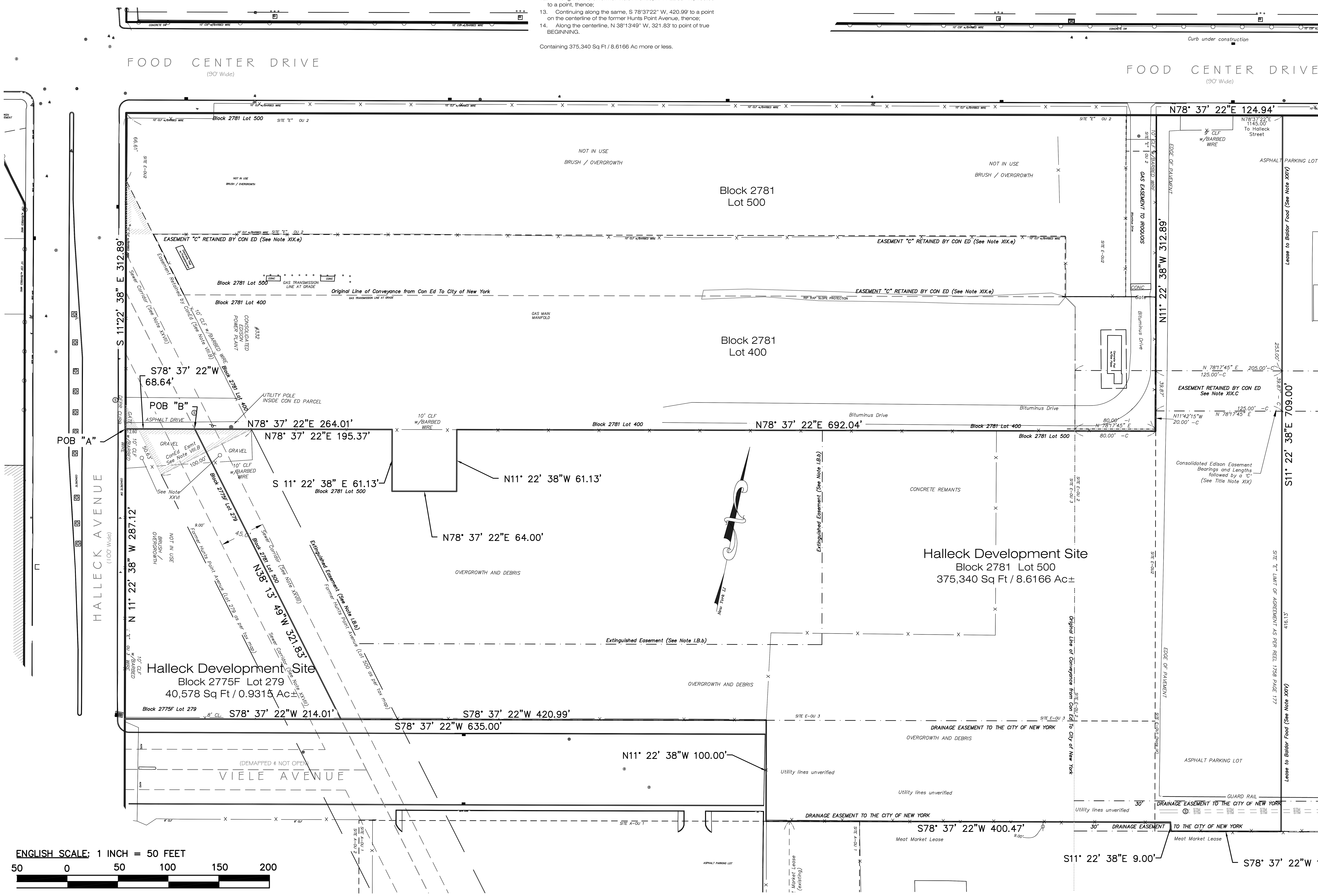
BLDG LINE/HATCH
BOTTOM WALL
CURB LINE
MAJOR CONTOUR
MINOR CONTOUR
LOT LINE/ROW
CONCRETE LINE
WALL LINE
CHAIN LINK FENCE
RAIL FENCE
CONS. FENCE
IRON FENCE
PAVED SURFACE
DASHED STRIPING
SOLID STRIPING

UTILITIES

Comm (U3.a) — COMM. CONDUIT
CATV — CATV CONDUIT
Elec (U1.a) E — ELEC. CONDUIT
Gas (U2.a) — GAS MAIN
E O/H — OVERHEAD WIRES
Water (U4.a) — WATER MAIN
FDNY — FDNY CONDUIT
STORM SEWER
SANITARY SEWER
Pipe Size & Material — COMBINED SEWER
ST — STEAM/CHILLED WATER LINE
CABLE BOX
COMM. MANHOLE
MANHOLE
GAS MANHOLE
OIL FILL
ELEC. BOX
ELEC. MANHOLE
WATER MANHOLE
WATER VALUE
ELEC. POLE

LEGEND

BIKE RACK
BOLLARD
LIGHT POLE
HYDRANT
STAND PIPE
VAULT
BLDG. ENTRANCE
ECS MANHOLE
PARKING METER
CATCH BASIN WITHOUT CURB PIECE
CATCH BASIN WITH CURB PIECE
FIRE CALL BOX
FIRST FLOOW ELEV.
TRAFFIC SIGNAL
TRAVERSE POINT
TREE
TELEPHONE BOOTH
FDNY MANHOLE
UTILITY POLE



Notes Regarding the Title

Part of Block 2781 Lot 500 &
Part of Block 2775F Lot 279
Borough and County of the Bronx
City and State of New York

Certificate of Title: Chicago Title #3214-00081

Title Vested In: The City of New York

Schedule A -- Source of Title:

I. A) Deed from Consolidated Edison Company of New York, Inc.(ConEd) to the City of New York dated Nov 10, 1966 and recorded as Liber 152 Page 1
   a. See XIX for exceptions
   B) Deed from ConEd. to the City of New York dated Jun 6th, 1968 and recorded as Liber 366 Page 48
   b. Reserving an Easement over "Map Parcel 3," which was subsequently terminated following the terms of the contract of sale once Parcel B (see XIX.B) was conveyed to the City of New York.

Schedule B II - Exceptions:

II. Agreement between the City of New York and the Economic Development Admin of the USA dated Sep 10th, 1986 and recorded as Reel 726 pages 580 & 860
   a. Agreement covers former Vita Foods and is outside of subject area.
III. Grant from the City of New York and ConEd dated Sep 14th, 1970 and recorded as Reel 143 page 1206.
   a. Easement covers the bed of current Food Center Drive and is outside of subject area.
IV. Letters Patent from the State of New York and the City of New York dated Oct 8th 1883 and recorded as Liber 422 Cp 356.
V. Grant from City the New York to the Iroquois Gas Transmission Company dated Oct 11th, 2002 and recorded as CRFN 2004000393771 and amended on Mar 5th 2004 and recorded as CRFN 2004000393772.
   a. Gas transmission in the bed of Food Center Drive and outside subject area
VI. Covenant of purpose between Economic Development Agency and the City of New York dated Sep 9th, 1993 and recorded as Reel 1187 Page 2391
   a. Agreement expired 15 years after acceptance
VII. Restrictions and Easements contained in contract of sale dated Jul 15th, 1966 and recorded as Liber 151 Page 325
   a. See XIX for duplicate exceptions
VIII. Restrictions and Easements contained in contract of sale dated Apr 23rd, 1968 and recorded as Liber 366 Page 30
   a. See XIX for duplicate exceptions
   b. Reserving Hunts Point Avenue Easement, Plotted
IX. Agreement between NYC DEC and City of New York dated Jul 7th, 2003 and recorded as CFRN 2003 000259166 with regard to Declaration by City of New York in favor of NYS DEC dated Mar 2nd, 2006 and recorded as CRFN 2006000120866
   a. Use of OU-1 Site E only as agreed by DEC, plotted
X. Agreement between City of New York and NYS DEC dated Apr 22nd, 2005 and recorded as CRFN 2005000239309 with regard to Declaration by the City of New York dated Jul 18th, 2007 and recorded as CRFN 2007000396185
   a. Covers a portion of the meat market and is outside of the subject area.
XI. Unrecorded sub-lease Made by HP Cooperative Market To Petco from original agreement made on Feb 26th, 1980 and recorded as Reel 414 Page 1537.
   a. Non-plottable
XII. Unrecorded lease by the City of New York to Al Nagelberg dated Nov 24th, 1976 as evidenced by assignment of lease dated Jun 5th, 1981 and recorded in Reel 661 page 1327.
   a. Non-plottable
XIII. Easements deed dated Dec 27th, 1922 and recorded as Liber 407 Cp 217
XIV. Easements deed dated Dec 27th, 1922 and recroded as Liber 422 Cp 250
XV. Easements in the bed of former Hunts Point Avenue and Viele Avenue
   a. Former Hunts Point Avenue has a sewer trunk line within a 45' wide sewer corridor
   b. Former Hunts Point Avenue has underground utility lines remaining
   c. Former Viele Avenue has a sewer line in an easement to the City of New York.
XVI. The subject site is not in or adjacent to the Bronx River
XVII. The subject site is not in or adjacent to riparian rights or easements in and over the Bronx River
XVIII. The subject sites is not adjacent to bulkhead or pierhead lines
XIX. Easements reserved by ConEd from the City of the New York dated Nov 10th, 1966 and recorded as Liber 152 Page 1
   a. Reserved Parcel A (Map #10), outside of subject area
   b. Reserved Parcel B (Map #2, site E), subsequently conveyed to the City of New York on Mar 29th, 1972 and recorded as Reel 179 Page 1126
   c. Reserved Easement A, plotted.
   d. Reserved Easement B, adjacent to tunnel easement and outside of subject area
   e. Reserved Easement C, outside of subject area
   f. Reserved Tunnel Easement, outside of subject area.
XX. Boundary line agreement dated Sep 18th, 1930 and record in Liber 794 cp 141.
XXI. Declaration of Covenants by the City of New York in favor of NYS DEC dated Jul 18th, 2007 and recorded as CRFN 2007000396183
   a. Voluntary clean up area Site E, plotted
XXII. Declaration of Covenants by the City of New York in favor of NYS DEC dated Jul 18th, 2007 and recorded as CRFN 2007000396186
   a. Iroquois gas easement and outside of subject area
XXIII. Memorandum of Tax Map amendment by the Dept of City Planned filed June 23rd, 2008 as CFRN 2009000190492.
   a. Closing Hunts Point Avenue between Halleck Street& the US Bulkhead line, plotted with reversion of former road bed to each respective adjacent lot.
   b. Closing of Viele Avenue between Halleck Street and Hunts Point Avenue, plotted with reversion of former road bed entirely to Lot 500 but outside of subject area
   c. Delineation of a sewer corridor, plotted
XXIV. Memorandum of Lease from the City of New York to Baldor Food dated Mar 8th, 2007 and recorded as CFRN 2007000145614
   a. Plotted and adjacent to subject property to the east.

Other Exceptions:

XXV. Agreement between ConEd and the City of New York dated Apr 23, 1968 and recorded as Liber 366 Cp 30
   a. Exclusive use by ConEd within a fenced area and outside of recorded easement.
XXVI. Unrecorded 30' sewer easement to the City of New York
   a. Sewer lines exist, plotted

MERCATOR land surveying, llc
75 East 4th Street
New York, NY
10003
(646) 837-0780 Phone
www.mercatorgroup.com
NYS COA#0002514

ISSUES OF DRAWINGS

No.	Date	Description
A	3/13/15	Initial Issue of Drawing

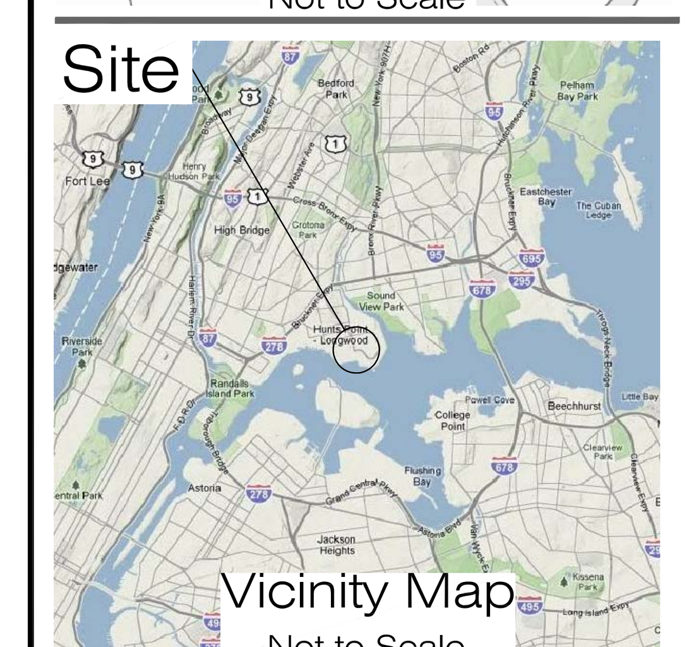
SUBSEQUENT REVISIONS

1	3/30/15	Signed version
2	4/17/15	Revised note re easement C
3	7/21/15	create triangle utility pole cut out
4	7/29/15	Revise cut out

Site

Tax Map
Not to Scale

Site



Vicinity Map
Not to Scale

Prepared For:
NYC Economic Development Corp
Contract #28770008-01
110 William Street New York, NY 10038

Project

Halleck Development Site

Leasehold Survey

p/o Block 2781 Lot 500 &
p/o Block 2775F Lot 279
Bronx County, State of New York

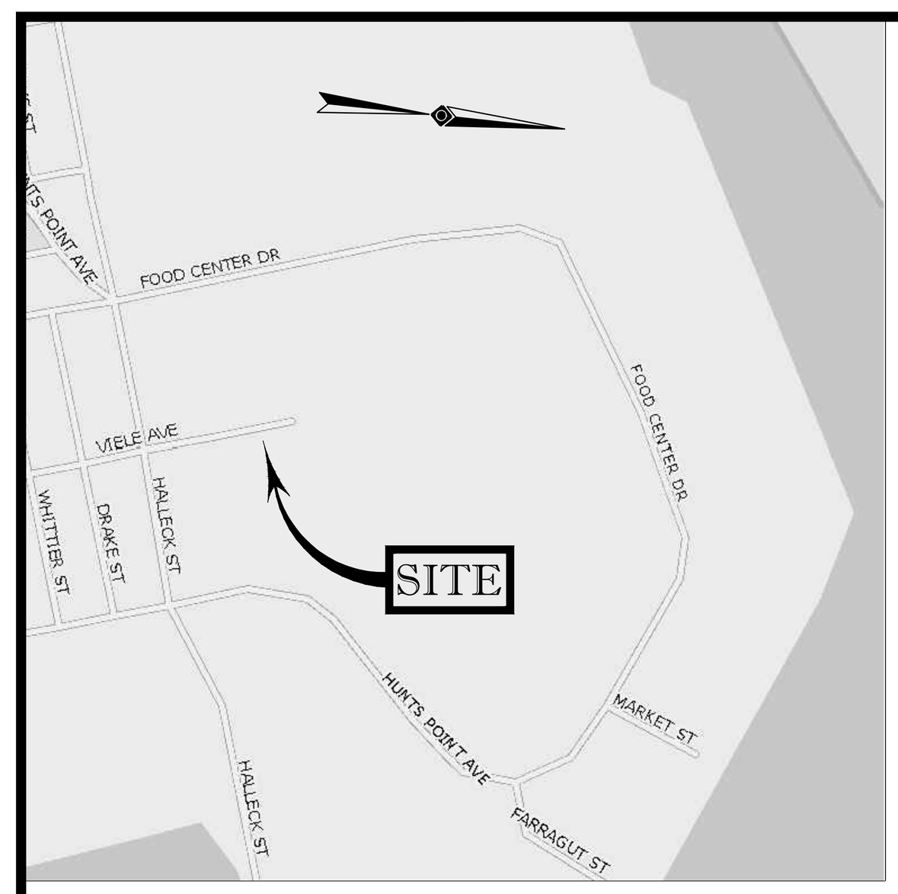
Date of Survey: Feb 23, 2015 Scale: 1" = 50' / 1:600

Seal & Signature

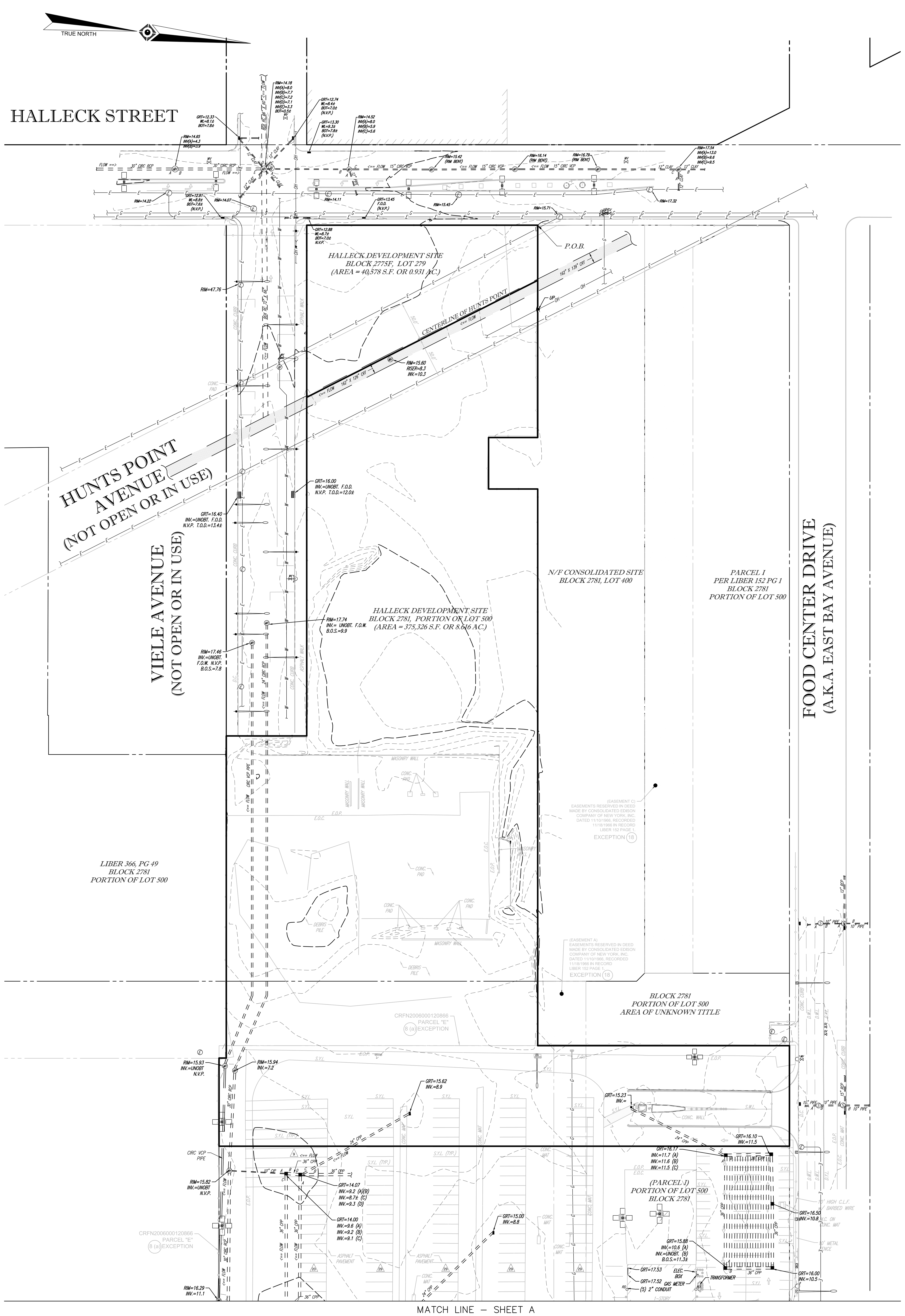
Valid only with blue seal and signature

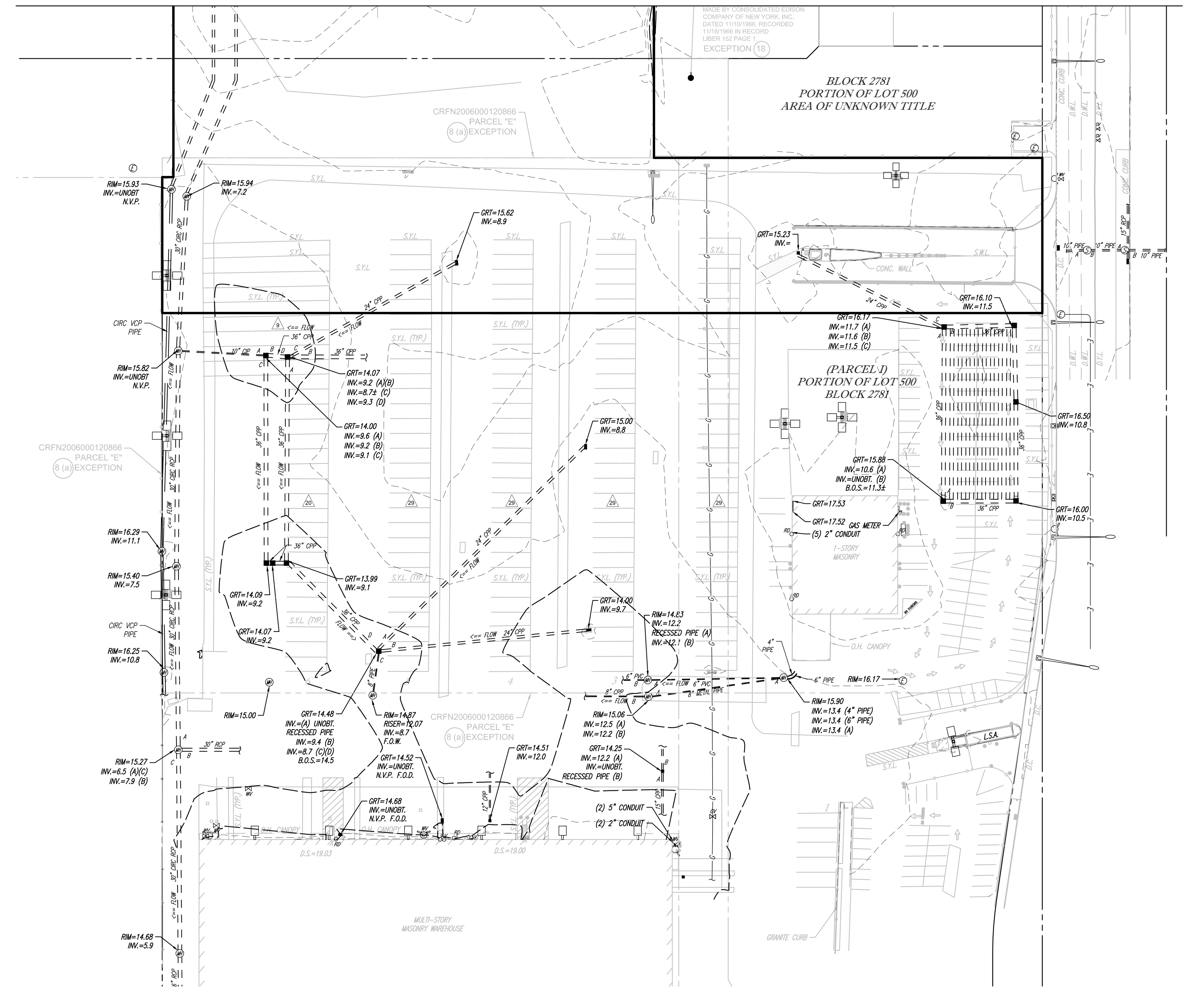
J. R. Lemuel Morrison
NY Lic Surveyor #50404

Date:	3/5/15
Project No:	15J108
Drawn:	AJ
Checked:	RLM
DWG No	V-15J108
CADD File: V-15J108-01(Bndry).dwg	1 of 1



VICINITY MAP
© 2008 DeLorme. Street Atlas USA





LEGEND

- EXISTING CONTOUR
- EXISTING SPOT ELEVATION
- EXIST. TOP OF CURB ELEVATION
- EXIST. GUTTER ELEVATION
- OVERHEAD WIRES
- APPROX. LOC. UNDERGROUND DRAINAGE LINE
- APPROX. LOC. UNDERGROUND SAN. LINE
- DEPRESSED CURB
- HYDRANT
- WV WATER VALVE
- GV GAS VALVE
- DMH DRAINAGE/STORM MANHOLE
- SMH SANITARY/SEWER MANHOLE
- TMH TELEPHONE MANHOLE
- EMH ELECTRIC MANHOLE
- MH UNKNOWN MANHOLE
- WMH WATER MANHOLE
- C/O CLEAN OUT
- P POST
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- UPLP UTILITY POLE/LIGHT POLE
- GUY WIRE
- STREET LIGHT
- PAINTED ARROWS
- SIGN
- ● BOLLARD
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- E.O.P. EDGE OF PAVEMENT
- MC METAL COVER
- (TYP.) TYPICAL
- D.W.P. DETECTABLE WARNING PAD
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- B.O.S. BOTTOM OF STRUCTURE
- G APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY COMPANY MARK-OUT AND FIELD LOCATED
- E APPROX. LOC. UNDERGROUND ELEC. LINE PER UTILITY COMPANY MARK-OUT AND FIELD LOCATED
- APPROX. LOC. UNDERGROUND DRAINAGE LINE
- APPROX. LOC. UNDERGROUND SAN. LINE
- W APPROX. LOC. UNDERGROUND WATER LINE
- VCP VITRIFIED CLAY PIPE
- CIRC CIRCULAR PIPE
- RC REINFORCED CONCRETE

SEE PAGE 1 OF 2 FOR NOTES & REFERENCES

GRAPHIC SCALE
60 0 30 60 120 240
(IN FEET)
1 inch = 60 ft.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

NEW YORK CITY ONE CALL CENTER & L.I. 1-800-272-4480 STOP-CALL-THEN DIG Safely

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE "2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 8, 9, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 09-21-2015.

PREPARED BY:
CONTROL POINT ASSOCIATES, INC.
35 TECHNOLOGY DRIVE
WARREN, NJ 07059
908.668.0099 - 908.668.9595 FAX

MT. LAUREL, NJ 609.857.2099
CHALFONT, PA 215.712.9800
SOUTHBOROUGH, MA 508.948.3000
MANHATTAN, NY 646.780.0411

NO.	DATE	BY	DESCRIPTION	APPROVED
2	10-09-15	W.P.B.	REVISED BASED ON CLIENTS COMMENTS	J.C.W.
1	10-01-15	W.P.B.	REVISED BASED ON CLIENTS COMMENTS	J.C.W.

REVISIONS

PROJECT NAME
155 FOOD CENTER DRIVE
BLOCK 2781, PORTION OF LOT 500 & BLOCK 2775F, LOT 279
BOROUGH & COUNTY OF BRONX
CITY AND STATE OF NEW YORK

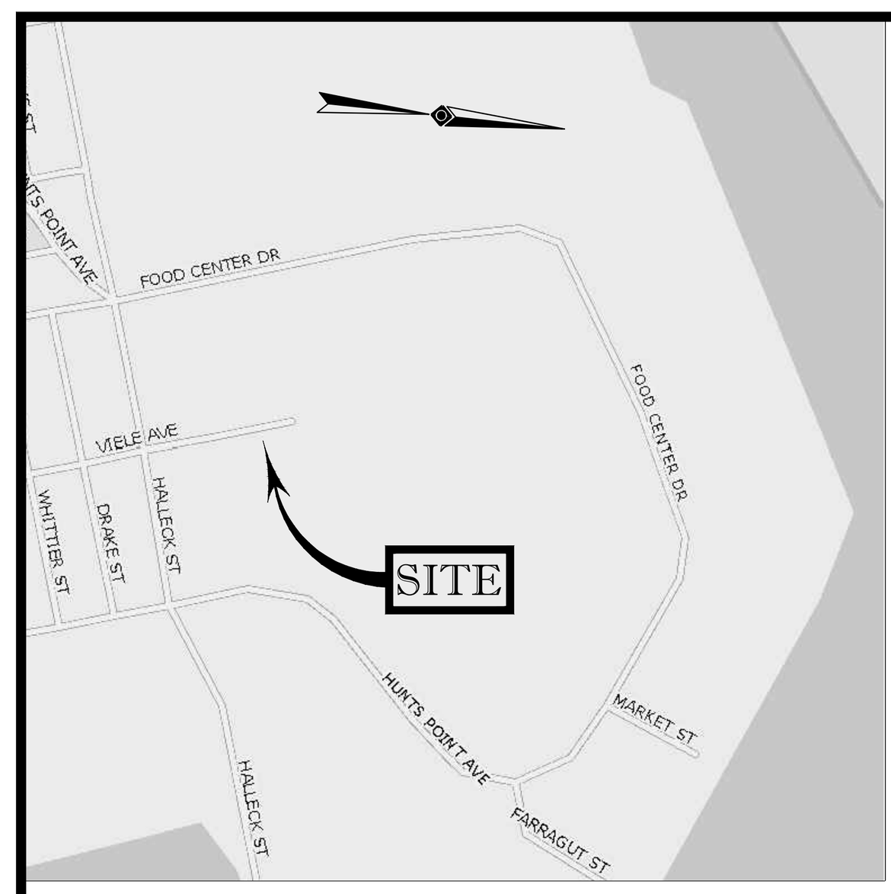
DRAWING TITLE
ALTA/ACSM LAND TITLE SURVEY (UTILITIES - PLAN)

SEAL & SIGNATURE

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH BLUE INK SEAL

10-09-2015
JAMES C. WEED DATE
NEW YORK PROFESSIONAL LAND SURVEYOR #50765

FIELD DATE:	09-21-2015
FIELD BK:	15-13
F. B. PAGE:	111-117
DATE:	09-30-2015
SCALE:	1"=60'
PROJECT No:	C06139.03
DRAWING BY:	M.H.S.
CHK BY:	A.P.W.
APPROVED BY:	J.C.W.
DWG No:	V-001.0
CAD FILE No: C06139.03	PAGE No: 2 OF 2



VICINITY MAP
© 2008 DeLorme. Street Atlas USA

Zoning Analysis for Baldor Expansion
Inclusive of the Halleck Avenue Site

Block: 2781
Lot: 500
Zoning District M3-1
FAR requirements 2.0

Proposed Uses for Facility
Use Group 16d Warehouse and distribution facility
Use Group 17b FDA Processing Area
Accessory Use 6 Offices

Current Baldor Lot Area: 598,054 sf
Halleck Industrial Site: 415,918 sf

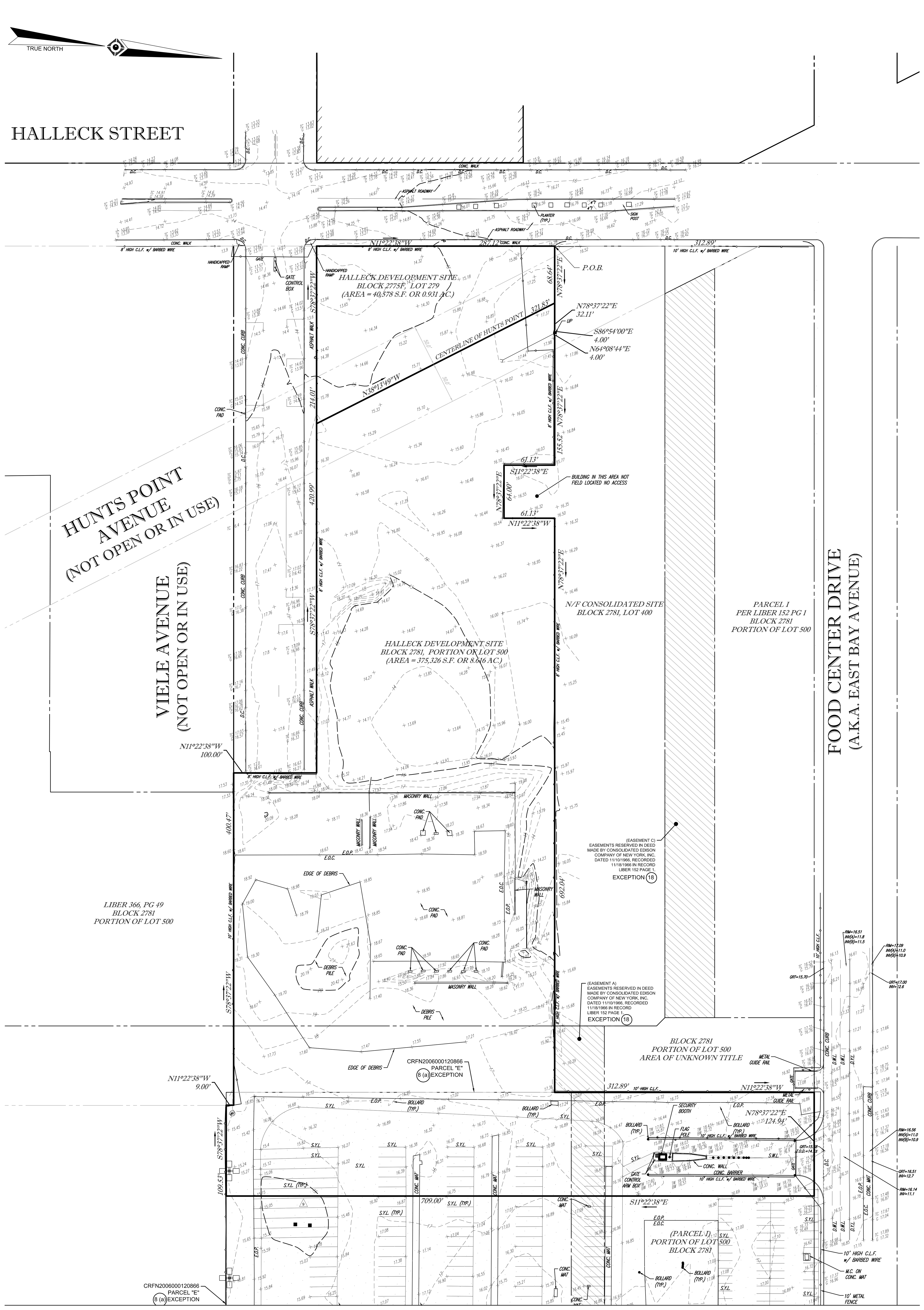
Total Lot Area: 1,013,972 sf (inclusive of Baldor lot and Halleck industrial site)

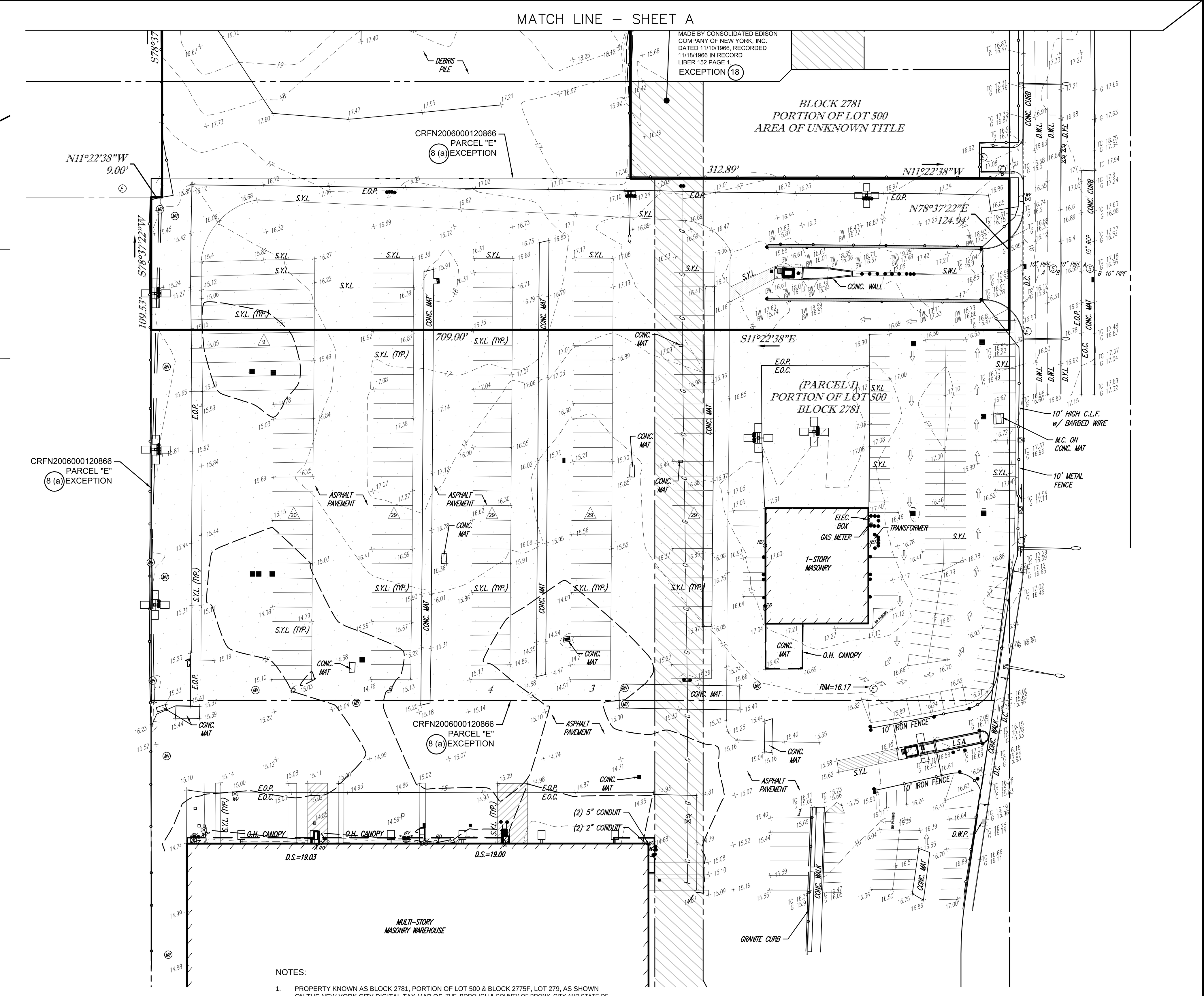
Max Floor area for site would be
1,013,972 x 2 = 2,027,944 sf
Existing Floor Areas
Ground Floor
Warehouse Use Group 16 d 152,863 sf
FDA Processing Use Group 17b 13,583 sf
Second Floor
Offices 27,141sf
Expansion
Ground Floor
Warehouse Use Group 16 d 106,676 sf
Second floor
Warehouse Accessory Use Group 16 d 3,872 sf
Mezzanine
Warehouse Accessory Use Group 16 d 3,872 sf

Total Expansion Area: 114,420 sf
Total Floor Area; 308,007 < 1,013,972 **complies**

Setback Requirements
ZR 43-25 Side Yard 0
ZR 43-26 Rear Yard 20 feet
Building Complies

Height Requirements
ZR 43-43 60'-0" or 4 stories whichever is less
Building Complies





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NEW YORK CITY ONE CALL CENTER 1-800-272-4480 STOP-CALL-THEN Dig Safely. & L.I.

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(IN FEET)
1 inch = 60 ft.

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ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

NOTES:

1. PROPERTY KNOWN AS BLOCK 2781, PORTION OF LOT 500 & BLOCK 2775F, LOT 279, AS SHOWN ON THE NEW YORK CITY DIGITAL TAX MAP OF THE BOROUGH & COUNTY OF BRONX, CITY AND STATE OF NEW YORK.
2. AREA SUMMARY
   BLOCK 2781, PORTION OF LOT 500 AREA = 375,326 S.F. OR 8.616 AC.
   BLOCK 2775F, LOT 279 AREA = 40,578 S.F. OR 0.932 AC)
   TOTAL AREA = 415,904 S.F. OR 9.548 AC.
3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE AS-BUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
4. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
5. THIS SURVEY IS PREPARED WITH REFERENCE TO A TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, TITLE NUMBER: CT15-00389-BX, WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2015, WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B - SECTION II:

   (2) Property Management Agreements between THE CITY OF NEW YORK and ECONOMIC DEVELOPMENT ADMINISTRATION OF THE UNITED STATES OF AMERICA dated 9/10/86, recorded 12110/86 in Reel 723 Pages 580 and 860. **NOT SURVEY RELATED.**

   (3) Easement Agreement between THE CITY OF NEW YORK and CONSOLIDATED EDISON COMPANY OF NEW YORK dated 9114/70, recorded 11110/70 in Reel143 Page 1206. **DOES NOT AFFECT PROPERTY.**

   (4) Letter Patent from the STATE OF NEW YORK to THE CITY OF NEW YORK dated 10/8/1883, recorded 11113/83 in Liber 422 Cp. 356. **DOCUMENT NOT PROVIDED.**

   (5) Grant of Easement and Agreement dated 10/11102, recorded 7/4/04 in CRFN 2004000393771. **DOES NOT AFFECT PROPERTY**.

   With Regard Thereto:
   First Amendment of Grant of Easement and Agreement dated 3/5/04, recorded 7/4/04 in CRFN 2004000393 772. **DOES NOT AFFECT PROPERTY.**

   (6) Covenant of Purpose, Use and Ownership dated 9/9/93, recorded 9/13/93 in Reel1187 Page 2391. **DOCUMENT NOT PROVIDED.**

   (7) Terms, Conditions, Covenants, Restrictions and Easements contained in Contract of Sale Agreement dated 7/15/66, recorded 11118/66 in Record Liber 151 Page 325. **DOCUMENT NOT PROVIDED.**

   (8) Terms, Covenants, Conditions, Restrictions and Easements contained in Contract of Sale Agreement dated 4/23/68, recorded 6/14/68 in Record Liber 366 Page 30. **DOCUMENT NOT PROVIDED.**

   Agreements for Real Property Covenant recorded 7/25/03 in CRFN 2003000259166.
   With Regard Thereto: **DOES NOT AFFECT PROPERTY.**

   a) Declaration of Covenants and Restrictions by THE CITY OF NEW YORK in favor of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL Conservation dated 03/02/2006, recorded 03/02/2006 in CRFN2006000120866. **AFFECTS PROPERTY SHOWN ON SURVEY.**

   (9) Declaration of Covenants and Restrictions dated 4/22/05 recorded 4/25/05 in CRFN 2005000239309.
   With Regard Thereto:
   a) Declaration of Covenants and Restrictions by THE CITY OF NEW YORK in favor of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL. **DOES NOT AFFECTS PROPERTY.**

   CONSERVATION dated 07/18/2007, recorded 08/0112007 in CRFN2007000396185. **DOES NOT AFFECTS PROPERTY**

   Terms, Provisions, Covenants and Agreements in unrecorded Lease between THE CITY OF NEW YORK, as landlord, and THE HUNTS POINT COOPERATIVE MEAT MARKET INC., as tenant.
   With Regard Thereto:

   Unrecorded Sub-Lease made by HUNTS POINT COOPERATIVE MARKET, INC. to PETCO PACKAGING CORPORATION, as evidenced by Assignment of Lessee's interest in Lease made by PETCO PACKAGING CORPORATION to UNITED STATES OF AMERICA ECONOMIC DEVELOPMENT ADMINISTRATION dated 2/26/80, recorded 3/26/80 in Reel 414 Page 1537. **NOT SURVEY RELATED.**

   (Unable to determine location of leased premises by the information shown on recorded instrument.)

   (12) Easements contained in Deed dated 12/27/22 recorded 10/1/23 in Liber 407 Cp.217. **DOCUMENT NOT PROVIDED.**

   (13) Easements contained in Deed dated 12/27/22, recorded 10/1/23 in Liber 422 Cp. 250. **DOCUMENT NOT PROVIDED.**

   (14) Easements, public and private over so much of the premises described in Schedule A, which lies in the present or former bed of Old Hunts Point Road, East Bay Ave., Viele Ave., Ryawa Ave., Payne St., Bacon St., Sacrahong St., Farragut St., Falconer St., Preble St., Kane St., Edgewater Rd., and Halleck St., Hunts Point A venue and Viele A venue for all street purposes including but not limited to utilities, water and sewer lines, telegraph, telephone and power lines. **AFFECTS PROPERTY BLANKET IN NATURE.**

   (15) No title is insured to any land now or formerly lying in the bed of EAST RIVER or BRONX RIVER, its arms, branches or tributaries by whatever name called. **BLANKET IN NATURE.**

   (16) Except riparian rights and easements of others to and over EAST RIVER and BRONXRIVER, but policy does not insure any riparian rights or easements in favor of the owner of the premises herein. **BLANKET IN NATURE.**

   (17) Except the right of the United States Government to establish harbor, bulkhead or pierhead lines or to change or alter any such existing lines and to remove or compel the removal of fill and improvements thereon (including buildings or other structures) from land now or formerly lying below the high water mark of EAST RIVER and BRONX RIVER without compensation to the insured. **BLANKET IN NATURE.**

   (18) Easements reserved in Deed made by CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. dated 11/10/1966, recorded 11/18/1966 in Record Liber 152 Page 1.
   EASEMENT "A" AFFECTS PROPERTY. **SHOWN ON SURVEY.**
   EASEMENT "B" **DOES NOT AFFECT PROPERTY**.
   EASEMENT "C" **DOES NOT AFFECT PROPERTY**.

   (19) Boundary Line Agreement dated 09/18/1930, recorded 11/05/1930 in Liber 796 cp 141. **DOCUMENT NOT PROVIDED.**

   (20) Declaration of Covenants and Restrictions by THE CITY OF NEW YORK in favor of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION dated 07/18/2007, recorded 08/01/2007 in CRFN 2007000396183. **DOCUMENT NOT PROVIDED.**

   (21) Declaration of Covenants and Restrictions by THE CITY OF NEW YORK in favor of the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION dated 07/18/2007, recorded 08/0112007 in CRFN 2007000396186. **DOCUMENT NOT PROVIDED.**

6. BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (FIRM ZONE INFORMATION) PER REF. #2.
7. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY.
8. ELEVATIONS ARE BASED UPON NAVD 1988 PER GPS OBSERVATION USING KEYNET AND KEYSTONE VRS NETWORK.
9. ENCROACHMENTS AND VAULTS, IF ANY, BELOW SURFACE NOT SHOWN HEREON.
10. THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.

REFERENCES:

1. THE NEW YORK CITY DIGITAL TAX MAP OF THE BOROUGH & COUNTY OF BRONX, CITY AND STATE OF NEW YORK.
2. MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, CITY OF NEW YORK, NEW YORK, BRONX, RICHMOND, NEW YORK, QUEENS AND KINGS COUNTIES," PANEL 111 OF 457, MAP NUMBER 3604970111F, MAP REVISED: SEPTEMBER 5, 2007.
3. MAP ENTITLED "HALLECK DEVELOPMENT LEASEHOLD SURVEY PART OF BLOCK 2781, LOT 500 & PART OF BLOCK 2775, LOT 279, BRONX COUNTY, STATE OF NEW YORK" PREPARED BY MERCATOR LAND SURVEYING, LLC, DATED 02-01-11.
4. MAP ENTITLED "SEWER MAPPING, NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF WATER AND SEWER OPERATIONS 59-17 JUNCTION BOULEVARD, 3RD FLOOR CORONA, NY 11373-5108" MAP PRINTED 06/20/2015.

CERTIFIED TO:

1. TO BALDOR SPECIALTY FOODS, INC.
2. JPMORGAN CHASE BANK, N.A.
3. CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE "2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 8, 9, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 09-21-2015.

PREPARED BY:
CONTROL POINT ASSOCIATES, INC.
35 TECHNOLOGY DRIVE
WARREN, NJ 07059
908.668.0099 - 908.668.9595 FAX

MT. LAUREL, NJ 609.857.2099
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SOUTHBOROUGH, MA 508.948.3000
MANHATTAN, NY 646.780.0411

NO.	DATE	BY	DESCRIPTION	APPROVED
2	10-09-15	W.P.B.	REVISED BASED ON CLIENTS COMMENTS	J.C.W.
1	10-01-15	W.P.B.	REVISED BASED ON CLIENTS COMMENTS	J.C.W.

REVISIONS

PROJECT NAME
155 FOOD CENTER DRIVE
BLOCK 2781, PORTION OF LOT 500 & BLOCK 2775F, LOT 279
BOROUGH & COUNTY OF BRONX
CITY AND STATE OF NEW YORK

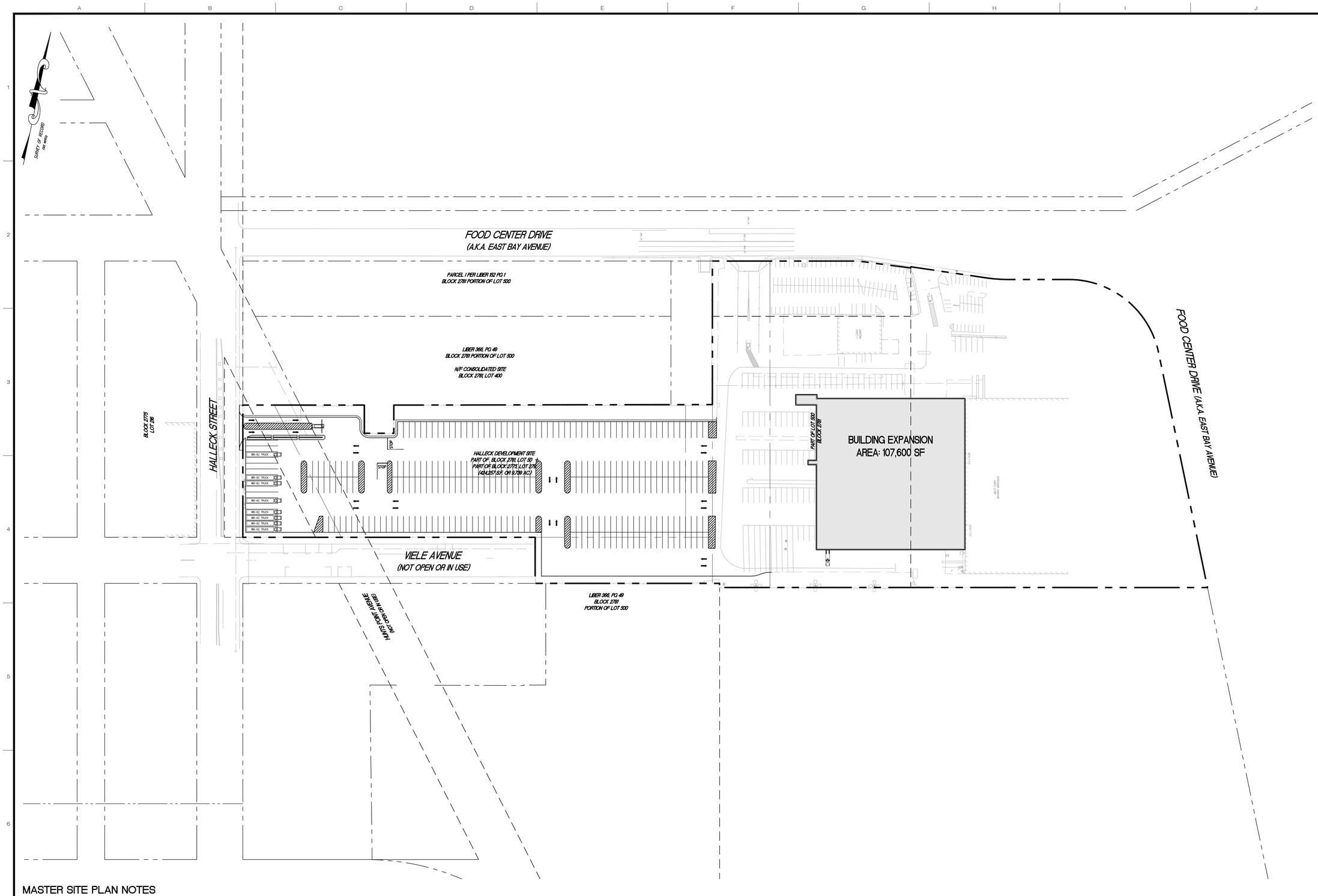
DRAWING TITLE
ALTA/ACSM LAND TITLE SURVEY (SITE & GRADING - PLAN)

SEAL & SIGNATURE

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH BLUE INK SEAL

10-09-2015
JAMES C. WEED DATE
NEW YORK PROFESSIONAL LAND SURVEYOR #50765

FIELD DATE:	09-21-2015
FIELD BK:	15-13
F. B. PAGE:	111-117
DATE:	09-30-2015
SCALE:	1"=60'
PROJECT No:	C06139.03
DRAWING BY:	M.H.S.
CHK BY:	A.P.W.
APPROVED BY:	J.C.W.
DWG No:	V-001.0
CAD FILE No: C06139.03	PAGE No: 1 OF 2



MASTER SITE PLAN NOTES

1. REFER TO DETAILED SITE PLAN FOR SIGNAGE QUANTITIES.

MASTER SITE LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
	LOT LINE	
	BUILDING	
	INTERIOR PARTITION	
	CURB	
	EDGE OF PAVEMENT	
	FENCE	
	WALL	
	LIGHT FIXTURE	
	SIGN	
	CONCRETE	
	LAWN	

DRESDNER ROBIN
Engineering, Environmental, Planning, Surveying and Landscape Architecture
WWW.DRESDNERROBIN.COM
CONTACT@DRESDNERROBIN.COM
CERTIFICATE OF AUTHORIZATION # - 24GA27926000

HEADQUARTERS
1 EVERTRUST PLAZA, SUITE 901
JERSEY CITY, NJ 07302
TEL: 201.217.9200
FAX: 201.217.9607

HANSON ENGINEERING DIVISION
55 LANE ROAD, SUITE 220
FAIRFIELD, NJ 07004
TEL: 973.696.2600
FAX: 973.696.1362

SATELLITE OFFICE
603 MATTISON AVENUE
ASBURY PARK, NJ 07712
TEL: 732.988.7020
FAX: 732.988.7032

PERKS REUTTER DIVISION
FAIRWAY CORPORATE PLAZA
4300 HADDONFIELD ROAD, SUITE 115
PENNSAUKEN, NJ 08109
TEL: 856.488.6200
FAX: 856.488.4302

N°	DATE	DESCRIPTION	BY

REVISIONS:

APPLICANT:

MICHAEL MUZYK
BALDOR SPECIALTY FOODS
155 FOOD CENTER DRIVE
BRONX, NY 10474
718.860.9100

OWNER:

RICHARD COTE
NYC ECONOMIC DEVELOPMENT CORPORATION
110 WILLIAM STREET, 6TH FL
NEW YORK, NY 10038
212.312.3800

DRAWING TITLE:

MASTER SITE PLAN

PROJECT:

BALDOR FOOD CENTER

LOCATION:

155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

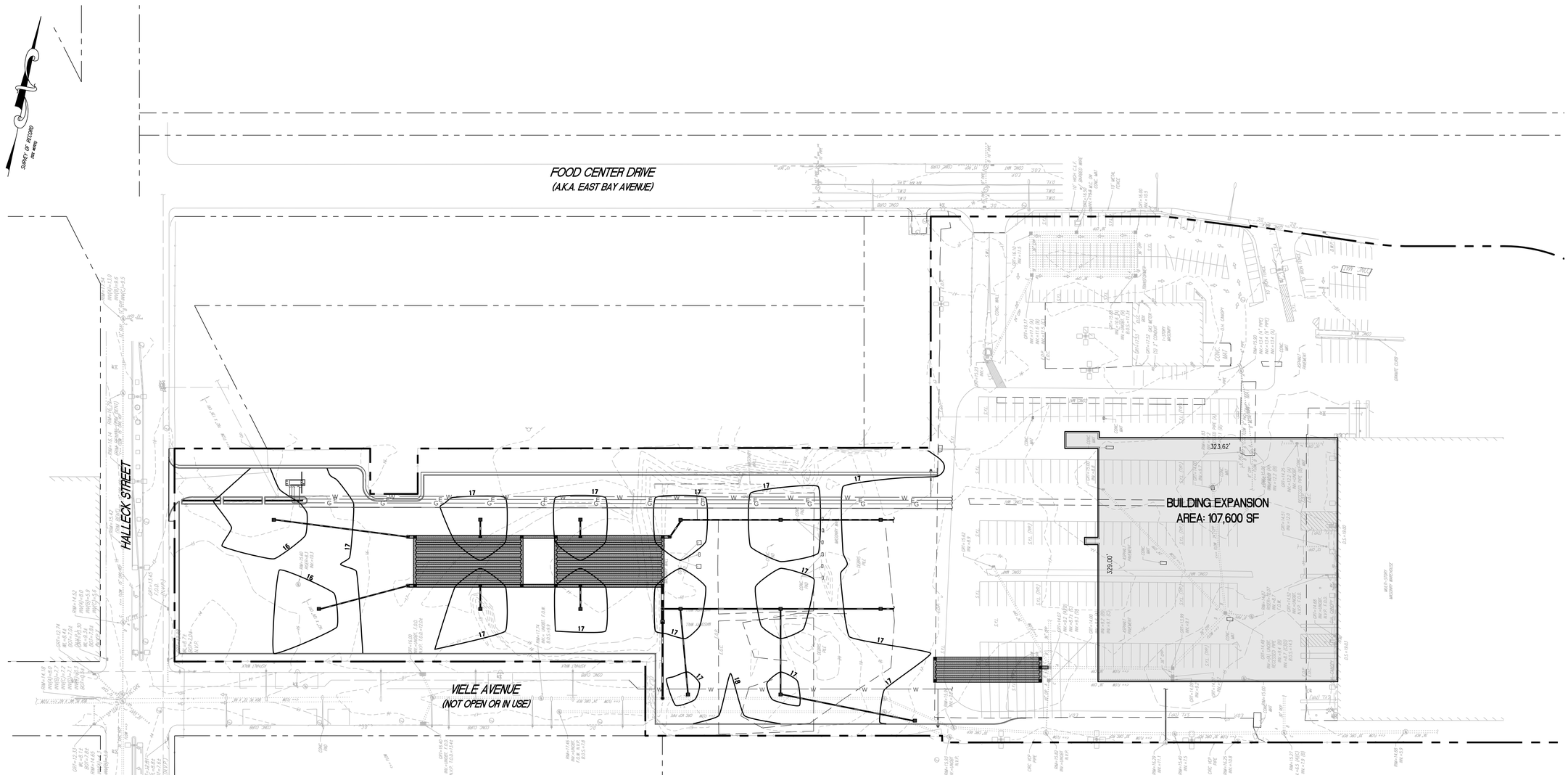
10/29/2015

JOSEPH MELE
PROFESSIONAL, ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:

80 40 0 80
SCALE: 1"=80'

DRAWN BY:	CHECKED BY:	DRAWING NUMBER
MM | MOM	JM	C-300.00
SCALE: 1"=80'	DATE: 10-29-2015	
JOB No: 10579-001		SHEET 02 OF 26



MASTER GRADING AND DRAINAGE PLAN NOTES

1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS AND SPECIFICATIONS FOR ACTUAL LOCATION OF ALL UTILITY SERVICE AND DRAINAGE ENTRANCES. CONTRACTOR SHALL COORDINATE INSTALLATIONS OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS AND ASSURE PROPER DEPTHS ARE ACHIEVED. CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANIES AS TO LOCATION AND SCHEDULING OF CONNECTIONS TO THEIR FACILITIES.
2. A DEWATERING PLAN SHALL BE SUBMITTED TO THE ENGINEER AND OWNER FOR APPROVAL. ALL EFFLUENT MUST BE SAMPLED AND DISCHARGED PURSUANT TO THE REQUIREMENTS OF THE SITE SPECIFIC DEWATERING PERMIT AND APPROVAL TO BE OBTAINED FOR THIS PROJECT.
3. ELEVATIONS SHOWN HEREON, UNLESS OTHERWISE SPECIFIED, ARE BASED ON NAVD88 AS NOTED BY THE PROJECT SURVEYOR.
4. THE PROJECT AREA IS SITUATED OUTSIDE THE SPECIAL FLOOD HAZARD AREA ASSOCIATED WITH THE EAST RIVER PURSUANT TO THE PRELIMINARY FLOOD INSURANCE RATE MAP FOR THE CITY OF NEW YORK, PANELS 92 AND 111 OF 457 (JANUARY 30, 2015). AS A RESULT THE PROPOSED IMPROVEMENTS ARE NOT REGULATED BY STATE OR FEDERAL FLOOD HAZARD RULES.
5. THE CONTRACTOR IS TO FIELD VERIFY ALL QUANTITIES AND EXISTING INVERTS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES BETWEEN FIELD VERIFIED INVERTS AND THOSE SHOWN ON THE DRAWINGS SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
6. THE CONTRACTOR SHALL VERIFY THE LOCATION AND SIZE OF ALL UTILITIES BY CONDUCTING TEST PITS AT UTILITY CROSSINGS, PRIOR TO EXCAVATION AND EXERCISE CARE TO PREVENT DISRUPTION OF ACTIVE SERVICES & AVOID CONFLICTS. CONTRACTOR SHOULD EXPECT TO ENCOUNTER ABANDONED UTILITY SERVICES WITHIN THE STREET RIGHTS-OF-WAY. SUSPECTED ABANDONED UTILITIES SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE OWNER AND ENGINEER. IF LINES ARE DETERMINED TO BE ABONDONED, THEY SHALL BE REMOVED OR FILLED AS NECESSARY TO ADVANCE THE WORK IN COORDINATION WITH NYCDEP OR THE UTILITY CARRIER WHICH OWNS THE LINE IN QUESTION.
7. ALL DEMOLITION MATERIAL AND DEBRIS AND ALL ITEMS REMOVED FROM THE PROPERTY AND THE PUBLIC AREAS ADJACENT, SHALL BE DISPOSED IN ACCORDANCE WITH THE ENVIRONMENTAL PROTOCOL IN EFFECT FOR THE SITE AND APPLICABLE NYSDEC AND EPA REGULATIONS AT FACILITIES LICENSED TO ACCEPT THE APPROPRIATE TYPE OF WASTE. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE WHICH POSES A THREAT TO LIFE, SAFETY OR PROPERTY.
8. UTILIZE A MOBILE SWEEPER AND WATER TRUCK AS NEEDED FOR DUST CONTROL ALONG THE HAUL ROUTE AND IN AREAS MADE AVAILABLE FOR CONSTRUCTION. STREETS AND SIDEWALKS MUST BE KEPT FREE OF SEDIMENT EACH DAY.
9. SITE GRADING IS TO COMPLY WITH THIS GRADING PLAN IN ORDER TO PREVENT WATER PONDING RESULTING FROM CONSTRUCTION OPERATIONS. PROMPTLY REMOVE ANY PONDED WATER TO THE SATISFACTION OF THE ENGINEER.
10. THE CONTRACTOR SHALL CEASE WORK IMMEDIATELY IF AN ADJACENT STRUCTURE APPEARS TO BE IN DANGER AND WILL TAKE ALL ACTIONS NECESSARY TO STABILIZE THE SITUATION.
11. ALL REPAIRS AND NEW PAVEMENT AREAS TO BE INSTALLED TO SMOOTH, EVEN GRADE. CORRECT EXISTING LOW SPOTS AND GRADE DISCREPANCIES BY FILLING AND CUTTING AS REQUIRED.
12. MEET EXISTING GRADE AND SURFACE FINISHES, WHERE NOTED.
13. ALL EXISTING MANHOLE COVERS, GRATES, AND UTILITY STRUCTURES TO REMAIN SHALL BE ADJUSTED TO FINISH GRADE AS SHOWN ON THE DRAWINGS OR AS DIRECTED BY THE ENGINEER.
14. THE CONTRACTOR SHALL MAINTAIN ACCURATE AS-BUILT NOTES AS CONSTRUCTION PROGRESSES. AS-BUILT INFORMATION SHALL CONTAIN, BUT NOT BE LIMITED TO, TOP OF PIPE/INVERT ELEVATIONS AT REGULAR INTERVALS, DISTANCES TO CENTER OF PIPE/CORNER OF OBJECT FROM A SURVEYABLE POINT, LOCATION AND TYPES OF BENDS IN PIPES AND DEPTH OF COVER. ANY UTILITY OR OBJECT ENCOUNTERED IN THE FIELD THAT IS NOT ACCURATELY DISPLAYED ON THE DRAWINGS SHALL BE RECORDED BY THE CONTRACTOR AND FORWARDED TO THE ENGINEER AS SOON AS POSSIBLE. UPON COMPLETION OF THE PROJECT THE CONTRACTOR IS TO SUBMIT TO THE ENGINEER, WITHIN 14 DAYS, A SET OF AS-BUILT DRAWINGS SIGNED AND SEALED BY A NEW YORK LICENSED SURVEYOR. THE ENGINEER RESERVES THE RIGHT TO HAVE THE CONTRACTOR PRODUCE DRAWINGS WITH AS-BUILT INFORMATION ON THEM AT ANYTIME DURING CONSTRUCTION.
15. ALL CONNECTIONS TO MUNICIPAL FACILITIES SHALL BE COORDINATED WITH AND WITNESSED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION.

GRADING & DRAINAGE LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
10.50	CONTOURS	10
× 10.50	SPOT ELEVATION	+ 10.50
	STORM SEWER	
(D)	STORM MANHOLE	
	ROOF DRAIN	
	TYPE E INLET	
	SANITARY SEWER	
(S)	SANITARY MANHOLE	

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CERTIFICATE OF AUTHORIZATION # - 24GA27926000

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TEL: 973.696.2600
FAX: 973.696.1362

SATELLITE OFFICE
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ASBURY PARK, NJ 07712
TEL: 732.988.7020
FAX: 732.988.7032

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FAIRWAY CORPORATE PLAZA
4300 HADDONFIELD ROAD, SUITE 115
PENNSAUKEN, NJ 08109
TEL: 856.488.6200
FAX: 856.488.4302

N°	DATE	DESCRIPTION	BY

REVISIONS:

APPLICANT:

MICHAEL MUZYK
BALDOR SPECIALTY FOODS
155 FOOD CENTER DRIVE
BRONX, NY 10474
718.860.9100

OWNER:

RICHARD COTE
NYC ECONOMIC DEVELOPMENT CORPORATION
110 WILLIAM STREET, 6TH FL
NEW YORK, NY 10038
212.312.3800

DRAWING TITLE:

MASTER GRADING & DRAINAGE PLAN

PROJECT:

BALDOR FOOD CENTER

LOCATION:

155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

10/29/2015

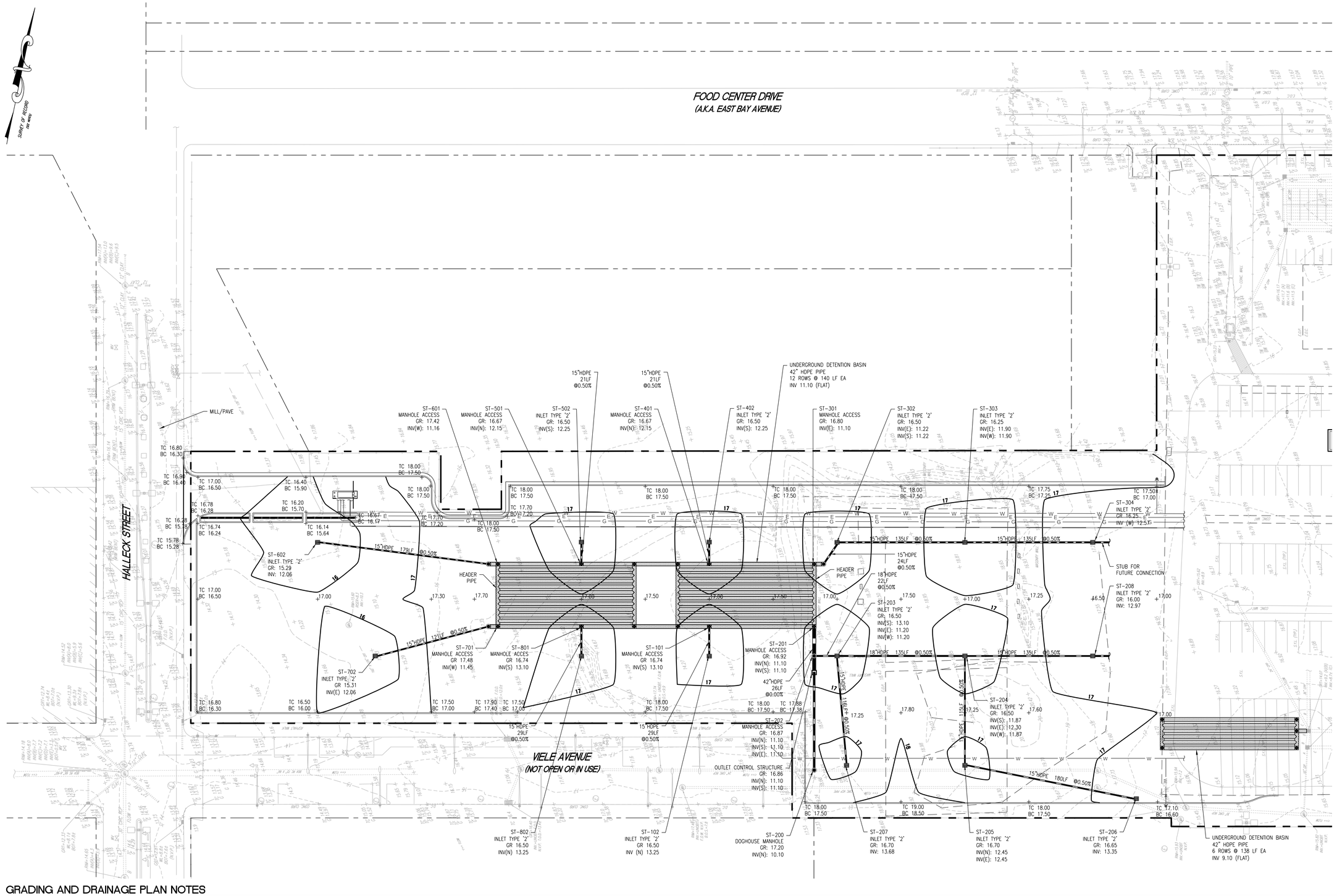
JOSEPH MELE
PROFESSIONAL ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:

60 30 0 60
SCALE: 1"=60'

DRAWN BY:	CHECKED BY:	DRAWING NUMBER:
MM | MOM	JM	C-400.00
SCALE: 1"=60'	DATE: 10-29-2015	
JOB No. 10579-001		SHEET 05 OF 26

G:\Eng\PROJECTS\10579-001 Baldor Bldg Expansion\CAD\10579-001 400 GRDR.dwg C-400.00 10/29/2015 3:03 PM MJoquendo



GRADING AND DRAINAGE PLAN NOTES

1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS AND SPECIFICATIONS FOR ACTUAL LOCATION OF ALL UTILITY SERVICE AND DRAINAGE ENTRANCES. CONTRACTOR SHALL COORDINATE INSTALLATIONS OF UTILITIES IN SUCH A MANNER AS TO AVOID CONFLICTS AND ASSURE PROPER DEPTHS ARE ACHIEVED. CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANIES AS TO LOCATION AND SCHEDULING OF CONNECTIONS TO THEIR FACILITIES.
2. A DEWATERING PLAN SHALL BE SUBMITTED TO THE ENGINEER AND OWNER FOR APPROVAL. ALL EFFLUENT MUST BE SAMPLED AND DISCHARGED PURSUANT TO THE REQUIREMENTS OF THE SITE SPECIFIC DEWATERING PERMIT AND APPROVAL TO BE OBTAINED FOR THIS PROJECT.
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GRADING & DRAINAGE LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
10.50	CONTOURS	10
× 10.50	SPOT ELEVATION	+ 10.50
	STORM SEWER	
	STORM MANHOLE	
	ROOF DRAIN	
	TYPE E INLET	
	SANITARY SEWER	
S	SANITARY MANHOLE	

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4300 HADDONFIELD ROAD, SUITE 115
PENNSAUKEN, NJ 08109
TEL: 856.488.6200
FAX: 856.488.4302

N°	DATE	DESCRIPTION	BY

REVISIONS:

APPLICANT:
MICHAEL MUZYK
BALDOR SPECIALTY FOODS
155 FOOD CENTER DRIVE
BRONX, NY 10474
718.860.9100

OWNER:
RICHARD COTE
NYC ECONOMIC DEVELOPMENT CORPORATION
110 WILLIAM STREET, 6TH FL
NEW YORK, NY 10038
212.312.3800

DRAWING TITLE:
GRADING AND DRAINAGE PLAN (WEST)

PROJECT:
BALDOR FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

10/29/2015
JOSEPH MELE
PROFESSIONAL ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:
40 20 0 40
SCALE: 1"=40'

DRAWN BY:	CHECKED BY:	DRAWING NUMBER:
MM | MOM	JM	C-401.00
SCALE: 1"=40'	DATE: 10-29-2015	
JOB No: 10579-001		SHEET 06 OF 26

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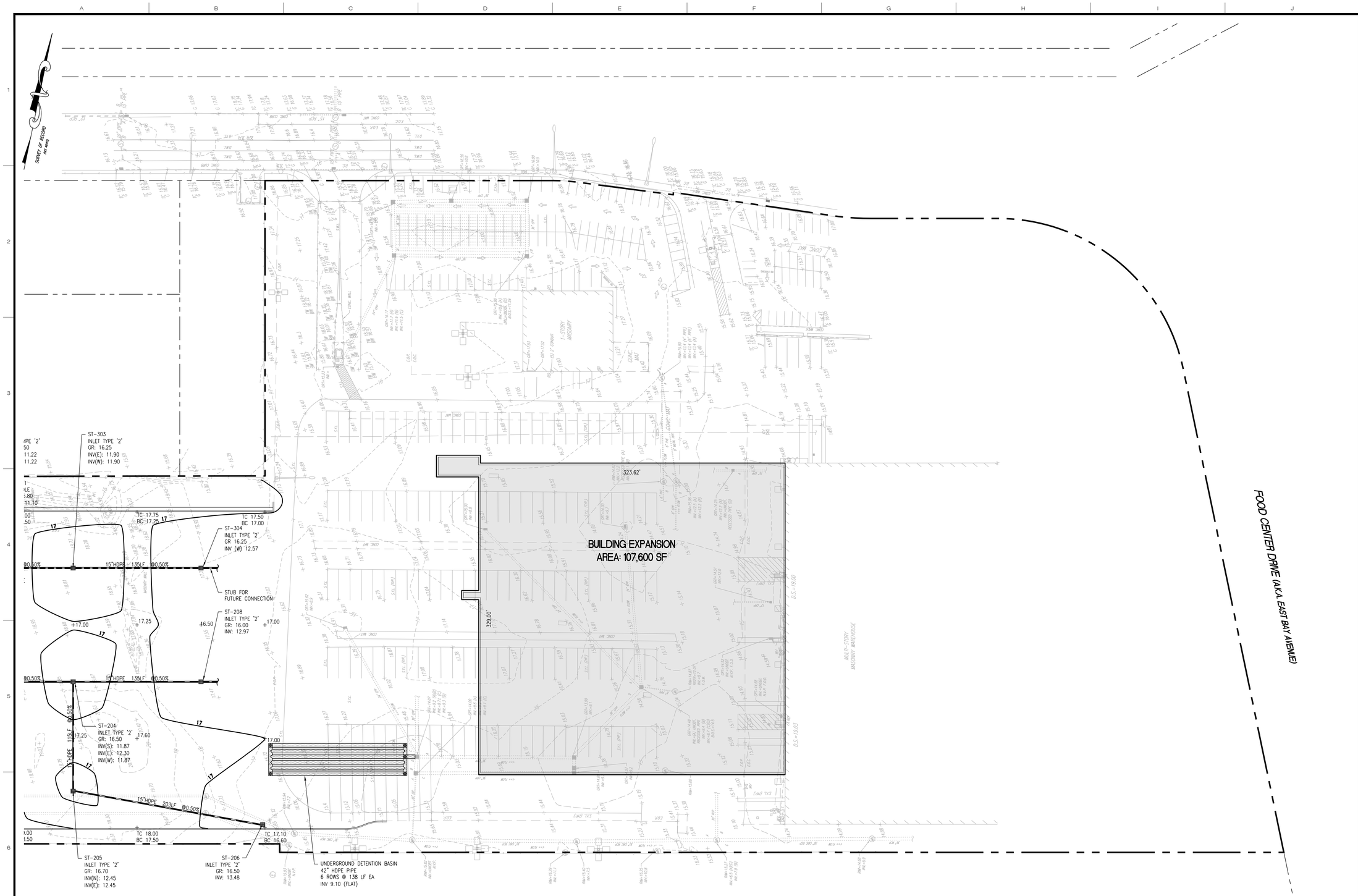

GRADING AND DRAINAGE PLAN NOTES

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GRADING & DRAINAGE LEGEND

EXISTING		PROPOSED
	PROPERTY LINE	
10.50	CONTOURS	10
× 10.50	SPOT ELEVATION	+ 10.50
	STORM SEWER	
(D)	STORM MANHOLE	
	ROOF DRAIN	
	TYPE E INLET	
	SANITARY SEWER	
(S)	SANITARY MANHOLE	

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PENNSAUKEN, NJ 08109
TEL: 856.488.6200
FAX: 856.488.4302

NO	DATE	DESCRIPTION	BY

REVISIONS:

APPLICANT:

MICHAEL MUZYK
BALDOR SPECIALTY FOODS
155 FOOD CENTER DRIVE
BRONX, NY 10474
718.860.9100

OWNER:

RICHARD COTE
NYC ECONOMIC DEVELOPMENT CORPORATION
110 WILLIAM STREET, 6TH FL
NEW YORK, NY 10038
212.312.3800

DRAWING TITLE:

GRADING AND DRAINAGE PLAN (EAST)

PROJECT:

BALDOR FOOD CENTER

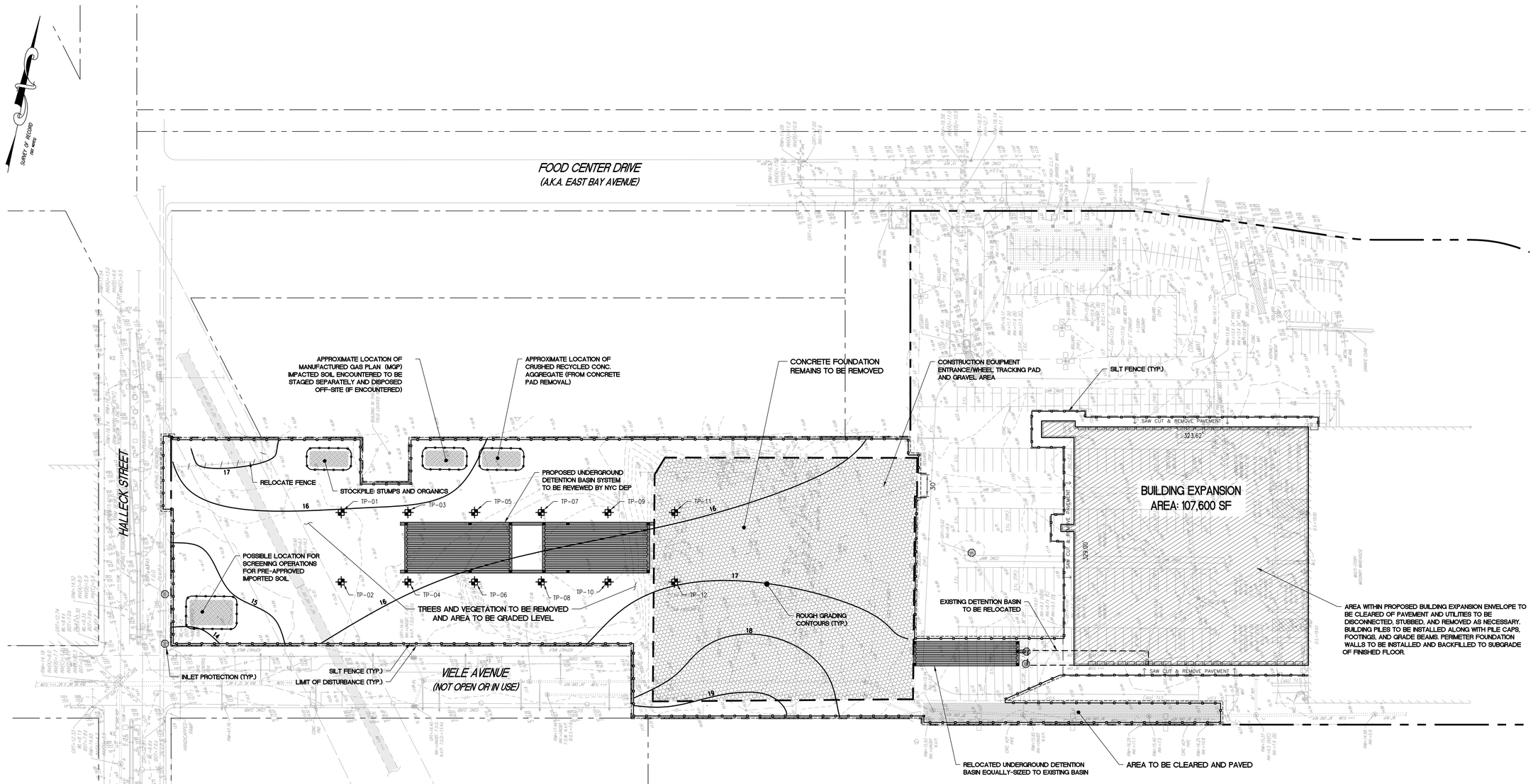
LOCATION:

155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

10/29/2015
JOSEPH MELE
PROFESSIONAL ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:
40 20 0 40
SCALE: 1"=40'

DRAWN BY:	CHECKED BY:	DRAWING NUMBER:
MM | MOM	JM	C-402.00
SCALE: 1"=40'	DATE: 10-29-2015	
JOB No: 10579-001		SHEET 07 OF 26



TOTAL AREA OF DISTURBANCE = 11.73 AC

SOIL EROSION AND SEDIMENT CONTROL PLAN NOTES

1. UTILIZE A MOBILE SWEEPER AND WATER TRUCK AS NEEDED FOR DUST CONTROL ALONG THE HAUL ROUTE AND IN AREAS MADE AVAILABLE FOR CONSTRUCTION. PUBLIC AND PRIVATE ROADS AND SIDEWALKS MUST BE KEPT FREE OF SEDIMENT AND MUD ON A DAILY BASIS.
2. PREVENT WATER PONDING RESULTING FROM CONSTRUCTION OPERATIONS. PROMPTLY REMOVE ANY PONDED WATER TO THE SATISFACTION OF THE ENGINEER OR OWNER.
3. PUBLIC EGRESS ESTABLISHED IN THE SITE OPERATIONS PLAN SHALL BE MAINTAINED AT ALL TIMES. WHERE WORK WILL INFRINGE UPON OR LIMIT ACCESS TO ANY PROPERTY, THE CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION. FROM OWNERSHIP AND FROM THE APPROPRIATE AGENCY OF THE BOROUGH.
4. ALL REMOVALS SHALL BE AS SHOWN ON THE DRAWINGS AND/OR AS DIRECTED BY THE ENGINEER AND OWNER, TO THE SATISFACTION OF THE ENGINEER AND OWNER.
5. IF THERE IS ANY CONFUSION AS TO WHAT IS TO REMAIN AND WHAT IS TO BE REMOVED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONTINUING WITH WORK.
6. FOUR DAYS PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL CONTACT NEW YORK CITY ONE-CALL: 1-800-272-4480 FOR UTILITY MARKOUT AND CONTACT ANY ADDITIONAL UTILITY CARRIER WHICH OWNS THE LINE IN QUESTION FOR MARKOUT OF CITY AND COUNTY UTILITIES. ALL DISCONNECTION, TERMINATION, RELOCATION OR BYPASSING OF WATER, SEWER, GAS, ELECTRIC, CABLE TELEVISION, AND OTHER FACILITIES THAT ARE UNDERTAKEN AS PART OF THE WORK SHALL BE DONE IN CONFORMANCE WITH WRITTEN APPROVAL, AND WITH THE REQUIREMENTS OF THE MUNICIPALITY OR UTILITY COMPANY HAVING JURISDICTION.
7. ANY PRIVATE UTILITY OPERATIONS NOT AFFILIATED WITH ONE CALL MUST BE CONTACTED TO ENSURE THOSE UTILITIES ARE NOT LOCATED WITHIN THE PROJECT AREA.
8. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS, PAY ALL NECESSARY FEES, ETC. AS REQUIRED TO PERFORM THE WORK.
9. ALL PAVEMENT BASE COURSES AND STONE SCREENINGS SHALL BE REMOVED TO A DEPTH ADEQUATE ENOUGH FOR NEW PAVEMENTS TO BE INSTALLED AS SHOWN ON THE PLANS AND DETAILS.
10. PROVIDE TEMPORARY MEASURES AS REQUIRED TO ENSURE FREE AND SAFE PASSAGE OF OWNER'S PERSONNEL AND GENERAL PUBLIC TO AND FROM OCCUPIED BUILDINGS AND STRUCTURES. TEMPORARY ACCESS MEASURES MUST BE APPROVED BY THE BOROUGH'S CONSTRUCTION OFFICIAL.
11. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK. THE CONTRACTOR SHALL COORDINATE DEMOLITION WITH APPLICABLE AGENCIES AND ALL UTILITY COMPANIES.
12. ALL PAVED WALKWAYS MUST BE KEPT CLEAN AND FREE OF SOIL AND DEBRIS FOR THE DURATION OF THE CONTRACT.
13. EXISTING CURB AND SIDEWALK TO BE REMOVED SHALL BE SAWCUT TO THE NEXT EXPANSION JOINT BEYOND THE SIDE PROPERTY LINES. CONTRACTOR TO PROVIDE A CLEAN SMOOTH AND EVEN TRANSITION FOR NEW CURBS AND PAVEMENTS WITH NO TRIP HAZARDS.
14. ALL DEMOLITION MATERIAL AND DEBRIS AND ALL ITEMS REMOVED FROM THE PROPERTY AND THE PUBLIC AREAS ADJACENT, SHALL BE DISPOSED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE CITY'S ENVIRONMENTAL COMMISSION AND IN ACCORDANCE WITH THE REGULATIONS AND LAWS OF THE NYCDEP. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE WHICH POSE A THREAT TO LIFE, SAFETY OR PROPERTY.
15. SEE DRAWING C-891 ENTITLED "SOIL EROSION NOTES & DETAILS" FOR STANDARD NOTES AND DETAILS.

NEW YORK CITY ONE CALL CENTER 1-800-272-4480 STOP-CALL-THEN DIG Safely & L.I.

SESC LEGEND

- PROPERTY LINE
- LIMIT OF DISTURBANCE
- SILT FENCE
- INLET PROTECTION
- STOCKPILE
- WHEEL TRACKING PAD
- TEST PIT LOCATION

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CERTIFICATE OF AUTHORIZATION # - 24GA27926000

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N°	DATE	DESCRIPTION	BY

REVISIONS:

APPLICANT:
MICHAEL MUZYK
BALDOR SPECIALTY FOODS
155 FOOD CENTER DRIVE
BRONX, NY 10474
718.860.9100

OWNER:
RICHARD COTE
NYC ECONOMIC DEVELOPMENT CORPORATION
110 WILLIAM STREET, 6TH FL
NEW YORK, NY 10038
212.312.3800

DRAWING TITLE:
REMOVALS & EROSION CONTROL PLAN

PROJECT:
BALDOR FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

10/29/2015
JOSEPH MELE
PROFESSIONAL ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:
60 30 0 60
SCALE: 1"=60'

DRAWN BY:	CHECKED BY:	DRAWING NUMBER:
MM | MOM	JM	C-810.00
SCALE: 1"=60'	DATE: 10-29-2015	
JOB No: 10579-001		SHEET 22 OF 26

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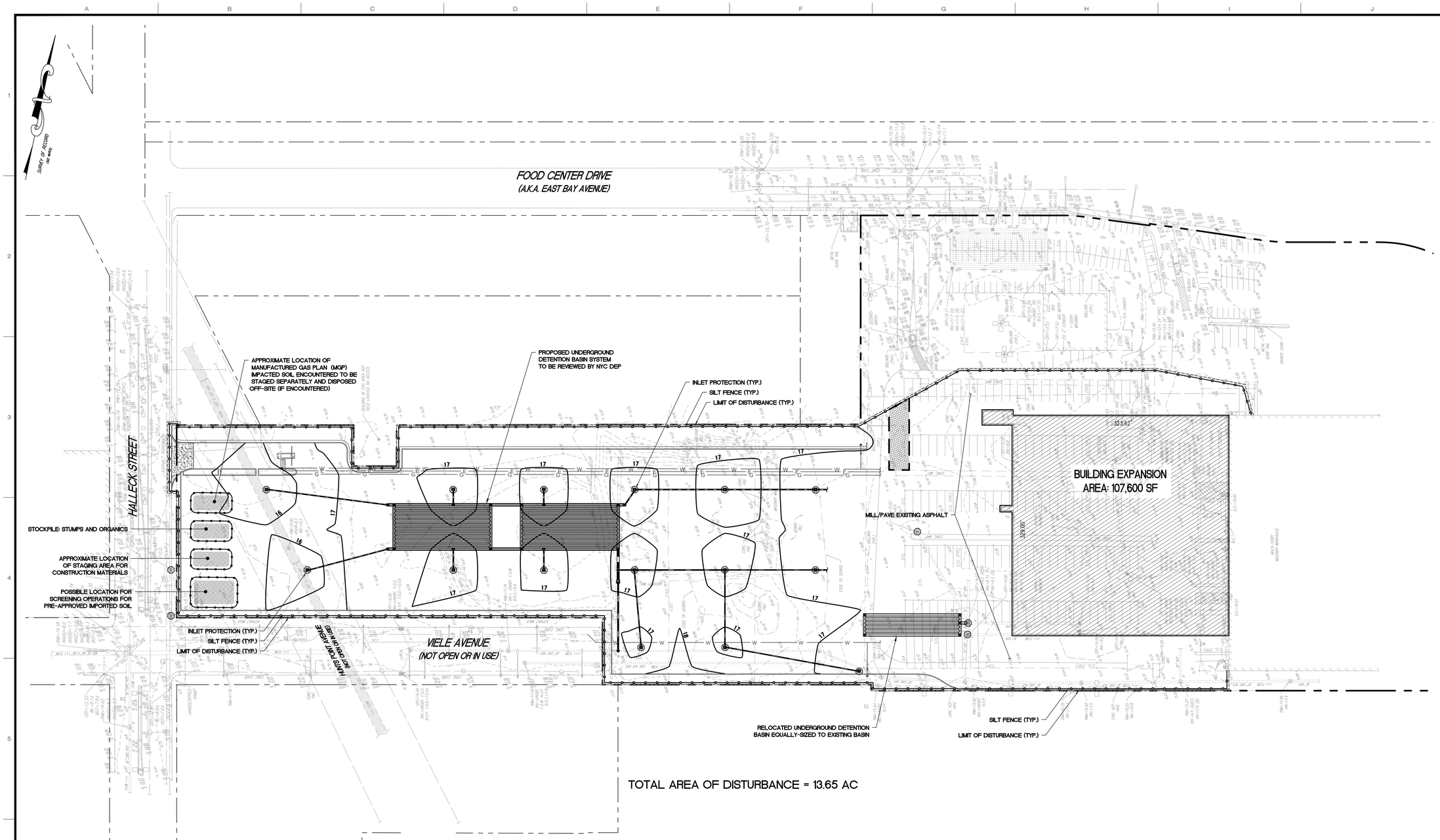

TOTAL AREA OF DISTURBANCE = 13.65 AC

SOIL EROSION AND SEDIMENT CONTROL PLAN NOTES

1. UTILIZE A MOBILE SWEEPER AND WATER TRUCK AS NEEDED FOR DUST CONTROL ALONG THE HAUL ROUTE AND IN AREAS MADE AVAILABLE FOR CONSTRUCTION. PUBLIC AND PRIVATE ROADS AND SIDEWALKS MUST BE KEPT FREE OF SEDIMENT AND MUD ON A DAILY BASIS.
2. PREVENT WATER PONDING RESULTING FROM CONSTRUCTION OPERATIONS. PROMPTLY REMOVE ANY PONDED WATER TO THE SATISFACTION OF THE ENGINEER OR OWNER.
3. PUBLIC EGRESS ESTABLISHED IN THE SITE OPERATIONS PLAN SHALL BE MAINTAINED AT ALL TIMES. WHERE WORK WILL INFRINGE UPON OR LIMIT ACCESS TO ANY PROPERTY, THE CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION. FROM OWNERSHIP AND FROM THE APPROPRIATE AGENCY OF THE BOROUGH.
4. ALL REMOVALS SHALL BE AS SHOWN ON THE DRAWINGS AND/OR AS DIRECTED BY THE ENGINEER AND OWNER, TO THE SATISFACTION OF THE ENGINEER AND OWNER.
5. IF THERE IS ANY CONFUSION AS TO WHAT IS TO BE REMAIN AND WHAT IS TO BE REMOVED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONTINUING WITH WORK.
6. FOUR DAYS PRIOR TO COMMENCING WORK, THE CONTRACTOR SHALL CONTACT NEW YORK CITY ONE-CALL: 1-800-272-4480 FOR UTILITY MARKOUT AND CONTACT ANY ADDITIONAL UTILITY CARRIER WHICH OWNS THE LINE IN QUESTION FOR MARKOUT OF CITY AND COUNTY UTILITIES. ALL DISCONNECTION, TERMINATION, RELOCATION OR BYPASSING OF WATER, SEWER, GAS, ELECTRIC, CABLE TELEVISION, AND OTHER FACILITIES THAT ARE UNDERTAKEN AS PART OF THE WORK SHALL BE DONE IN CONFORMANCE WITH WRITTEN APPROVAL, AND WITH THE REQUIREMENTS OF THE MUNICIPALITY OR UTILITY COMPANY HAVING JURISDICTION.
7. ANY PRIVATE UTILITY OPERATIONS NOT AFFILIATED WITH ONE CALL MUST BE CONTACTED TO ENSURE THOSE UTILITIES ARE NOT LOCATED WITHIN THE PROJECT AREA.
8. THE CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL NECESSARY PERMITS, PAY ALL NECESSARY FEES, ETC. AS REQUIRED TO PERFORM THE WORK.
9. ALL PAVEMENT BASE COURSES AND STONE SCREENINGS SHALL BE REMOVED TO A DEPTH ADEQUATE ENOUGH FOR NEW PAVEMENTS TO BE INSTALLED AS SHOWN ON THE PLANS AND DETAILS.
10. PROVIDE TEMPORARY MEASURES AS REQUIRED TO ENSURE FREE AND SAFE PASSAGE OF OWNER'S PERSONNEL AND GENERAL PUBLIC TO AND FROM OCCUPIED BUILDINGS AND STRUCTURES. TEMPORARY ACCESS MEASURES MUST BE APPROVED BY THE BOROUGH'S CONSTRUCTION OFFICIAL.
11. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK. THE CONTRACTOR SHALL COORDINATE DEMOLITION WITH APPLICABLE AGENCIES AND ALL UTILITY COMPANIES.
12. ALL PAVED WALKWAYS MUST BE KEPT CLEAN AND FREE OF SOIL AND DEBRIS FOR THE DURATION OF THE CONTRACT.
13. EXISTING CURB AND SIDEWALK TO BE REMOVED SHALL BE SAWCUT TO THE NEXT EXPANSION JOINT BEYOND THE SIDE PROPERTY LINES. CONTRACTOR TO PROVIDE A CLEAN SMOOTH AND EVEN TRANSITION FOR NEW CURBS AND PAVEMENTS WITH NO TRIP HAZARDS.
14. ALL DEMOLITION MATERIAL AND DEBRIS AND ALL ITEMS REMOVED FROM THE PROPERTY AND THE PUBLIC AREAS ADJACENT, SHALL BE DISPOSED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE CITY'S ENVIRONMENTAL COMMISSION AND IN ACCORDANCE WITH THE REGULATIONS AND LAWS OF THE NYCDEP. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE WHICH POSE A THREAT TO LIFE, SAFETY OR PROPERTY.
15. SEE DRAWING C-891 ENTITLED 'SOIL EROSION NOTES & DETAILS' FOR STANDARD NOTES AND DETAILS.

NEW YORK CITY ONE CALL CENTER
1-800-272-4480
STOP-CALL-THEN Dig Safely
& L.I.

SESC LEGEND

- PROPERTY LINE
- LIMIT OF DISTURBANCE
- SILT FENCE
- INLET PROTECTION
- STOCKPILE
- WHEEL TRACKING PAD

DRESDNER ROBIN
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DRAWING TITLE:

EROSION CONTROL PLAN

PROJECT:

BALDOR
FOOD CENTER

LOCATION:

155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

10/29/2015
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NY LICENSE NUMBER 083364-1

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JOB No: 10579-001		SHEET 23 OF 26

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SOIL EROSION AND SEDIMENT CONTROL NOTES

1. ALL SOIL TO BE EXPOSED OR STOCKPILED FOR A PERIOD OF GREATER THAN 60 DAYS, AND NOT UNDER ACTIVE CONSTRUCTION, WILL BE TEMPORARILY SEEDED AND HAY MULCHED OR OTHERWISE PROVIDED WITH VEGETATIVE COVER. THIS TEMPORARY COVER SHALL BE MAINTAINED UNTIL SUCH TIME WHEREBY PERMANENT RESTABILIZATION IS ESTABLISHED.
2. SEEDING DATES: THE FOLLOWING SEEDING DATES ARE BEST RECOMMENDED TO ESTABLISH PERMANENT VEGETATIVE COVER WITHIN MOST LOCATIONS IN THE HEPSCD: SPRING – 3/1–5/15 AND FALL – 8/15 – 10/1
3. SEDIMENT FENCES ARE TO BE PROPERLY TRENCHED AND MAINTAIN UNTIL PERMANENT VEGETATIVE COVER IS ESTABLISHED
4. ALL STORM DRAINAGE INLETS SHALL BE PROTECTED BY ONE OF THE PRACTICES ACCEPTED IN THE STANDARDS AND REMAIN UNTIL PERMANENT STABILIZATION HAS BEEN ESTABLISHED. STORM DRAINAGE OUTLET POINTS SHALL BE PROTECTED AS REQUIRED BEFORE THEY BECOME FUNCTIONAL.
5. MULCH MATERIALS SHALL BE UN–ROTTED SALT HAY OR SMALL GRAIN STRAW APPLIED AT THE RATE OF 70–90 POUNDS PER 1000 SQUARE FEET (1.5–2.0 TONS/ACRE).
6. ALL EROSION CONTROL DEVICES SHALL BE PERIODICALLY INSPECTED, MAINTAINED AND CORRECTED BY THE CONTRACTOR. ANY DAMAGE INCURRED BY EROSION SHALL BE RECTIFIED IMMEDIATELY.
7. PAVED ROADWAYS MUST BE KEPT CLEAN AT ALL TIMES. DO NOT UTILIZE A FIRE OR GARDEN HOSE TO CLEAN ROADS UNLESS THE RUNOFF IS DIRECTED TO A PROPERLY DESIGNED AND FUNCTIONING SEDIMENT BASIN. ALL PUMP DEWATERING OPERATIONS SHALL BE DIRECTED TOWARD A FUNCTIONING SEDIMENT BASIN.
8. ALL SURFACES ARE TO BE PROVIDED WITH 6 INCHES OF TOPSOIL PRIOR TO RE–SEEDING.
9. A CRUSHED STONE WHEEL CLEANING TRACKING–PAD IS TO BE INSTALLED AT ALL SITE EXITS USING 2 ½" CRUSHED STONE TO A MINIMUM LENGTH OF 50 FEET. ALL DRIVEWAYS MUST BE PROVIDED WITH CRUSHED STONE UNTIL PAVING IS COMPLETE.
10. MAXIMUM SOIL SLOPES SHALL NOT EXCEED 2:1 UNLESS ADDITIONAL MEASURES ARE TAKEN AND APPROVED. THESE "SPECIAL" MEASURES SHALL BE DESIGNED BY THE APPLICANT'S ENGINEER.
11. ADDITIONAL MEASURES DEEMED NECESSARY BY OFFICIALS SHALL BE IMPLEMENTED AS CONDITIONS WARRANT.
12. SITE INSPECTIONS SHALL BE CONDUCTED BY QUALIFIED PROFESSIONALS AT LEAST EVERY 7 DAYS AND WITHIN 23 HOURS OF THE END OF A STORM EVENT OF 0.5 INCHES OR GREATER.

SEEDING NOTES

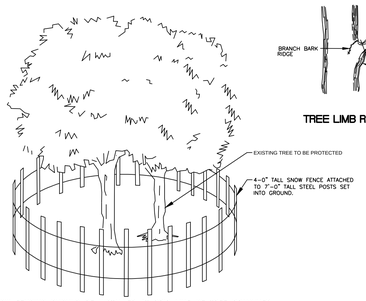
1. SURFACE ROUGHING IS REQUIRED BEFORE SEEDING. REMOVE LARGE CLODS, ROCKS AND DEBRIS.
2. SEEDBED MUST BE SEEDED WITHIN 24 HOURS OF DISTURBANCE.
3. IN SPRING OR SUMMER OR EARLY FALL, SEED THE SITE WITH RYEGRASS (ANNUAL OR PERENNAL) AT 30LBS/ACRE; IN LATE FALL OR EARLY WINTER, SEED CERTIFIED "ARDOSTOCK" WINTER RYE (CEREAL RYE) AT 100 LBS/ACRE.
4. MULCH THE AREA WITH HAY OR STRAW AT 2 TONS/ACRE. MULCH ANCHORING IS REQUIRED WHERE WIND OR AREAS OF CONCENTRATED WATER A RE OF CONCERN.

NOTE:
IT IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE STATE EDUCATIONAL LAW FOR ANY PERSON TO ALTER A DOCUMENT IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF A DOCUMENT BEARING THE SEAL OF AN ENGINEER IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE DOCUMENT THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

SEQUENCE OF CONSTRUCTION

	DURATION
1. INSTALLATION OF PERIMETER SILT FENCE AND STABILIZED CONSTRUCTION ENTRANCE.	3 DAYS
2. INSTALL INLET PROTECTION MEASURES.	1 DAY
3. CLEAR–CUTTING AND REMOVAL OF TREES AND LARGE VEGETATION.	2 WEEKS
4. GRUBBING OF TREE ROOTS AND STRIPPING TOPSOIL.	2 WEEKS
5. REMOVALS OF CONCRETE FOUNDATION REMNANTS AND WALL REMAINS.	3 WEEKS
6. FINE GRADING TO LEVEL SOIL SURFACE AREAS AND FILL SURFACE GORES CREATED FROM TREE REMOVAL ACTIVITIES.	2 WEEKS
	2 MONTHS

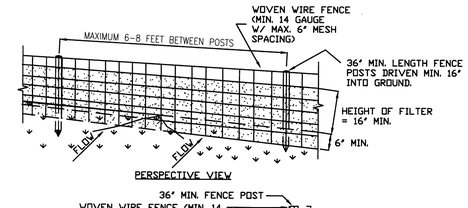
ANTICIPATE START DATE: SEPT. 2015
ANTICIPATE END DATE: NOV. 2015



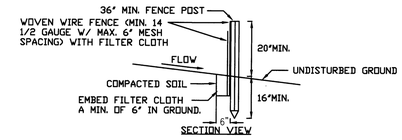
TREE LIMB REMOVAL

NOTES:
1. SNOW FENCING SHOULD BE INSTALLED AT DRIP LINE OF TREE BRANCHES.
2. NO BOARDS ARE TO BE NAILED TO TREES.
3. FEEDER ROOTS SHOULD NOT BE CUT INSIDE THE TREE BRANCHES DRIP LINE.
4. TREE LIMB REMOVAL, WHERE NECESSARY, WILL BE DONE TO TRUNK OR MAIN BRANCH.
5. ALL TREES INSIDE THE LIMIT OF DISTURBANCE TO BE PRESERVED MUST BE PROTECTED WITH ORANGE TREE PROTECTION FENCE.
6. PROTECT TREE DRIPLINE ROOT AREA. ANY CHANGE MUST BE FORWARDED (PRIOR TO WORK BEING COMPLETED) TO THE CITY FOR APPROVAL.
7. FENCE MUST REMAIN AND BE MAINTAINED THROUGH DURATION OF CONSTRUCTION.
8. DRIVE STAKES FIRMLY INTO GROUND – AT LEAST 12".

TREE PROTECTION



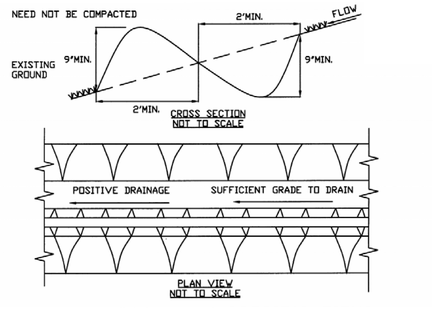
PERSPECTIVE VIEW



SECTION VIEW

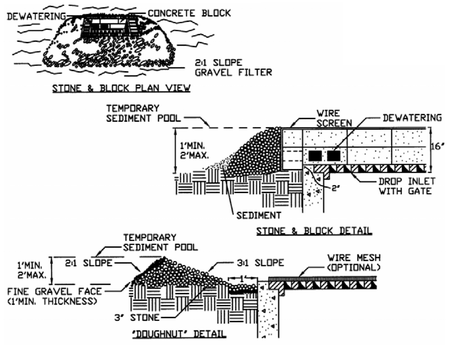
NOTES:
1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES, POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVE WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION, FENCE SHALL BE WOVEN WIRE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER–LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE



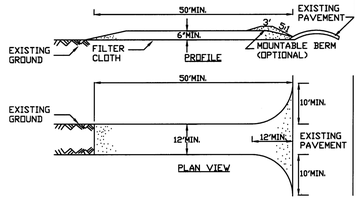
NOTES:
1. ALL PERIMETER DIKE/SWALE SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
2. DIVERTED RUNOFF FROM A DISTURBED AREA SHALL BE CONVEYED TO A SEDIMENT TRAPPING DEVICE.
3. DIVERTED RUNOFF FROM AN UNDISTURBED AREA SHALL OUTLET INTO AN UNDISTURBED STABILIZED AREA AT NON–EROSION VELOCITY.
4. THE SWALE SHALL BE EXCAVATED OR SHAPED TO LINE GRADE, AND CROSS SECTION AS REQUIRED TO MEET THE CRITERIA SPECIFIED IN THE STANDARD.
5. STABILIZATION OF THE AREA DISTURBED BY THE DIKE AND SWALE SHALL BE DONE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS FOR TEMPORARY SEEDING AND MULCHING, AND SHALL BE DONE WITHIN 10 DAYS.
6. PERIODIC INSPECTION AND REQUIRED MAINTENANCE MUST BE PROVIDED AFTER EACH RAIN EVENT. MAX. DRAINAGE AREA LIMIT: 2 ACRES

PERIMETER DIKE/SWALE



NOTES:
1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DEWATERING, FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
2. HARDWARE CLOTH OR ½" WIRE MESH SHALL BE PLACED OVER BLOCK OPENINGS TO SUPPORT STONE.
3. USE CLEAN STONE OR GRAVEL ½ – ¾ INCH IN DIAMETER PLACED 2 INCHES BELOW TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER.
4. FOR STONE STRUCTURES ONLY, A 1 FOOT THICK LAYER OF THE FILTER STONE WILL BE PLLACED AGAINST THE 3 INCH STONE AS SHOWN ON THE DRAWINGS.
MAXIMUM DRAINAGE AREA 1 ACRE.

INLET PROTECTION



NOTES:
1. STONE SIZE – USE 1–4 INCH STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH – NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS – NOT LESS THAN SIX (6) INCHES.
4. WIDTH – TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY–FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.

STABILIZED CONSTRUCTION ACCESS

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DRAWING TITLE:
SOIL EROSION NOTES & DETAILS

PROJECT:
BALDOR FOOD CENTER

LOCATION:
155 FOOD CENTER DRIVE
LOT 500, BLOCK 2781
LOT 279, BLOCK 2775
BOROUGH OF BRONX
BRONX COUNTY, NEW YORK, 10474

11/04/2015
JOSEPH MELE
PROFESSIONAL ENGINEER
NY LICENSE NUMBER 083364-1

SCALE:

DRAWN BY: MM | MOM	CHECKED BY: JM	DRAWING NUMBER: C-891.00
SCALE: N.T.S.	DATE: 11-03-2015	
JOB No: 10579-001		SHEET 24 OF 31

Appendix D - NYS DEC GP-0-15-002

New York State Department of Environmental Protection SPDES General Permit for

Stormwater Discharges From Construction Activities Permit No. GP-0-15-002

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

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-15-002

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

Effective Date: January 29, 2015 Expiration Date: January 28, 2020

Modification Date:
July 14, 2015 – Correction of typographical error in definition of "New Development", Appendix A

John J. Ferguson
Chief Permit Administrator

Authorized Signature 7-15-15 Date

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

PREFACE

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

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

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

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

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

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

Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

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

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

3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharge*s authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the Stormwater Pollution Prevention Plan (“SWPPP”) the reason(s) for the deviation or alternative design and provide information

which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:

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

   (ii) Control stormwater *discharge*s to *minimize* channel and streambank erosion and scour in the immediate vicinity of the *discharge* points;

   (iii) *Minimize* the amount of soil exposed during *construction activity*;

   (iv) *Minimize* the disturbance of *steep slopes*;

   (v) *Minimize* sediment *discharge*s from the site;

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

   (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted; and

   (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover.

b. **Soil Stabilization**. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

c. **Dewatering**. *Discharge*s from dewatering activities, including *discharge*s

from dewatering of trenches and excavations, must be managed by appropriate control measures.

d. **Pollution Prevention Measures**. Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:

(i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;

(ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and

(iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.

e. **Prohibited *Discharge*s.** The following *discharge*s are prohibited:

(i) Wastewater from washout of concrete;

(ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

(iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;

(iv) Soaps or solvents used in vehicle and equipment washing; and

(v) Toxic or hazardous substances from a spill or other release.

f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion

at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

1. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the *performance criteria* in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the *performance criteria* in the Design Manual, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

a. ***Sizing Criteria* for *New Development***

(i) Runoff Reduction Volume ("RRv"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv

that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:

(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or

(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) Overbank Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or

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

(v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or

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

b. ***Sizing Criteria* for *New Development* in Enhanced Phosphorus Removal Watershed**

(i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be calculated in accordance with the criteria in Section 10.3 of the Design Manual.

(ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or

standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible.*

In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

(iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:

(1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or

(2) The site *discharge*s directly to tidal waters, or fifth order or larger streams.

(iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that overbank control is not required.

(v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:

(1) the site *discharge*s directly to tidal waters or fifth order or larger streams, or
(2) A downstream analysis reveals that overbank control is not required.

c. ***Sizing Criteria* for *Redevelopment Activity***

(Part I.C.2.c.i)

(i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.

(1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
(2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or
(3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
(4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

(ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(iii) Overbank Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

(Part I.C.2.c.iv)

(iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.

d. ***Sizing Criteria* for Combination of *Redevelopment Activity* and *New Development***

Construction projects that include both *New Development* and *Redevelopment Activity* shall provide post-construction stormwater management controls that meet the *sizing criteria* calculated as an aggregate of the *Sizing Criteria* in Part I.C.2.a. or b. of this permit for the *New Development* portion of the project and Part I.C.2.c of this permit for *Redevelopment Activity* portion of the project.

D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control *discharge*s necessary to meet applicable *water quality standards*. It shall be a violation of the *ECL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

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

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

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

If there is evidence indicating that the stormwater *discharge*s authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharge*s authorized by this permit are causing or contributing to a violation of *water quality standards*, or

if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharge*s will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.

E. Eligibility Under This General Permit

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

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

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

4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

F. Activities Which Are Ineligible for Coverage Under This General Permit

All of the following are **not** authorized by this permit:

(Part I.F)

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

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

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

4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an endangered or threatened species unless the *owner or operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.C.2 of this permit.

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

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

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which disturb one or more acres of land with no existing *impervious cover*; and

   c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture (“USDA”) Soil Survey for the County where the disturbance will occur.

7. *Construction activities* for linear transportation projects and linear utility projects:

   a. Where the *discharge*s from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and

   b. Which disturb two or more acres of land with no existing *impervious cover*; and

   c. Which are undertaken on land with a Soil Slope Phase that is identified as an E or F, or the map unit name is inclusive of 25% or greater slope, on the USDA Soil Survey for the County where the disturbance will occur.

(Part I.F.8)

8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.C.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:

   a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.

      - 1-5 acres of disturbance - 20 feet
      - 5-20 acres of disturbance - 50 feet
      - 20+ acres of disturbance - 100 feet, or

   b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
      (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
      (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
      (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
      (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or

   c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:
      (i) No Affect
      (ii) No Adverse Affect

(Part I.F.8.c.iii)

(iii) Executed Memorandum of Agreement, or

d. Documentation that:

(i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharge*s from *construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

II. Part II. OBTAINING PERMIT COVERAGE

A. Notice of Intent (NOI) Submittal

1. An *owner or operator* of a *construction activity* that is <u>not</u> subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed NOI form to the Department in order to be authorized to *discharge* under this permit. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (http://www.dec.ny.gov/). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address.

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

2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department. An *owner or operator* shall use either the electronic (eNOI) or paper version of the NOI.

The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the address in Part II.A.1.

(Part II.A.2)

The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.E. (Change of *Owner or Operator*) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*.

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

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

B. Permit Authorization

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

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

   a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (http://www.dec.ny.gov/) for more information,

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

   c. the final SWPPP has been prepared, and

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

3. An *owner or operator* that has satisfied the requirements of Part II.B.2 above

(Part II.B.3)

will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:

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

(i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or

(ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;

(iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.

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

(i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "*MS4* SWPPP Acceptance" form, or

(ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.

4. The Department may suspend or deny an *owner's or operator's* coverage

under this permit if the Department determines that the SWPPP does not meet the permit requirements. In accordance with statute, regulation, and the terms and conditions of this permit, the Department may deny coverage under this permit and require submittal of an application for an individual SPDES permit based on a review of the NOI or other information pursuant to Part II.

5. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.B. of this permit.

C. General Requirements For Owners or Operators With Permit Coverage

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

2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-15-002), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.

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

   a. The *owner or operator* shall

(Part II.C.3.a)

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

b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005.

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

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

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

4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.

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

(Part II.D)

D. Permit Coverage for Discharges Authorized Under GP-0-10-001

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-10-001), an *owner or operator* of *a construction activity* with coverage under GP-0-10-001, as of the effective date of GP-0-15-002, shall be authorized to *discharge* in accordance with GP-0-15-002, unless otherwise notified by the Department.

   An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-15-002.

E. Change of *Owner or Operator*

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

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

(Part III)

III. Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.

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

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

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

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

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

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

5. The Department may notify the *owner or operator* at any time that the

(Part III.A.5)

SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.C.4. of this permit.

6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor.* The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

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

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

   In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the

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

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

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

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

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

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

   d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other

activity at the site that results in soil disturbance;

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

f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;

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

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

i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005;

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

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

l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005. Include the reason for the deviation or alternative design

and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

   Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

   The post-construction stormwater management practice component of the SWPPP shall include the following:

   a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

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

   c. A Stormwater Modeling and Analysis Report that includes:

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

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

      (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;

      (iv) Summary table, with supporting calculations, which demonstrates

that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;

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

(vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;

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

e. Infiltration test results, when required; and

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

3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria,* Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

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

(Part IV)

IV. Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.

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

B. Contractor Maintenance Inspection Requirements

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.

3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

(Part IV.C)

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

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

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

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

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

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

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

   d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

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

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

   b. For construction sites where soil disturbance activities are on-going and

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

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

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

e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall

be separated by a minimum of two (2) full calendar days.

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

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

a. Date and time of inspection;

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

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

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

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

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

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

h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;

(Part IV.C.4.i)

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

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

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

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

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

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

V. Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

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

(Part V.A.2)

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

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

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

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

   d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.

3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "*Final Stabilization*" and "Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.

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

(Part V.A.5)

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

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

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

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

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

VI. Part VI. REPORTING AND RETENTION OF RECORDS

A. Record Retention

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

B. Addresses

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

(Part VII)

VII. Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

B. Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

E. Duty to Mitigate

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

F. Duty to Provide Information

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

G. Other Information

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit , or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. Signatory Requirements

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

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

      (i) a president, secretary, treasurer, or vice-president of the

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

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

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

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

(i) the chief executive officer of the agency, or

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

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

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

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

(Part VII.H.2.b)

individual or any individual occupying a named position) and,

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

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

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

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any *owner or operator* authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any *discharge*r authorized by a general permit to apply for an individual SPDES permit, it shall notify the *discharge*r in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the *owner or operator* to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from *owner or operator* receipt of the notification letter, whereby the authorization to

discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a construction site which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

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

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

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.

4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

(Part VII.N)

N. Permit Actions

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions

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

P. Re-Opener Clause

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

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

Q. Penalties for Falsification of Forms and Reports

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

R. Other Permits

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

VIII. **APPENDIX A**

Definitions

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

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

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

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

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

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

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

Equivalent (Equivalence) – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied

on all disturbed areas that are not covered by permanent structures, concrete or pavement.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

Groundwater(s) - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Historic Property – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State
or National Registers of Historic Places.

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

Infeasible – means not technologically possible, or not economically practicable and achievable in light of best industry practices.

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

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

Minimize – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters,

ditches, man-made
channels, or storm drains):

(i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State*;*

(ii) Designed or used for collecting or conveying stormwater;

(iii) Which is not a *combined sewer*; and

(iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

New Development – means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

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

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

Performance Criteria – means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf) in Part I.C.2. of the permit.

Pollutant - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq .

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

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

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

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

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

Redevelopment Activity(ies) – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

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

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

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

Site limitations – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), Overbank Flood (Qp), and Extreme Flood (Qf).

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

Steep Slope – means land area with a Soil Slope Phase that is identified as an E or F, or

the map unit name is inclusive of 25% or greater slope, on the United States Department of Agriculture ("USDA") Soil Survey for the County where the disturbance will occur.

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

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

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

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

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

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

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

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part

621 of the Environmental Conservation Law (ECL), Article 70.

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

IX. APPENDIX B

Required SWPPP Components by Project Type

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

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

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

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

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

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

- All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Table 2

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

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

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

X. APPENDIX C

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

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

- Entire New York City Watershed located east of the Hudson River **-** Figure 1
- Onondaga Lake Watershed **-** Figure 2
- Greenwood Lake Watershed **-**Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5

Figure 1 - New York City Watershed East of the Hudson

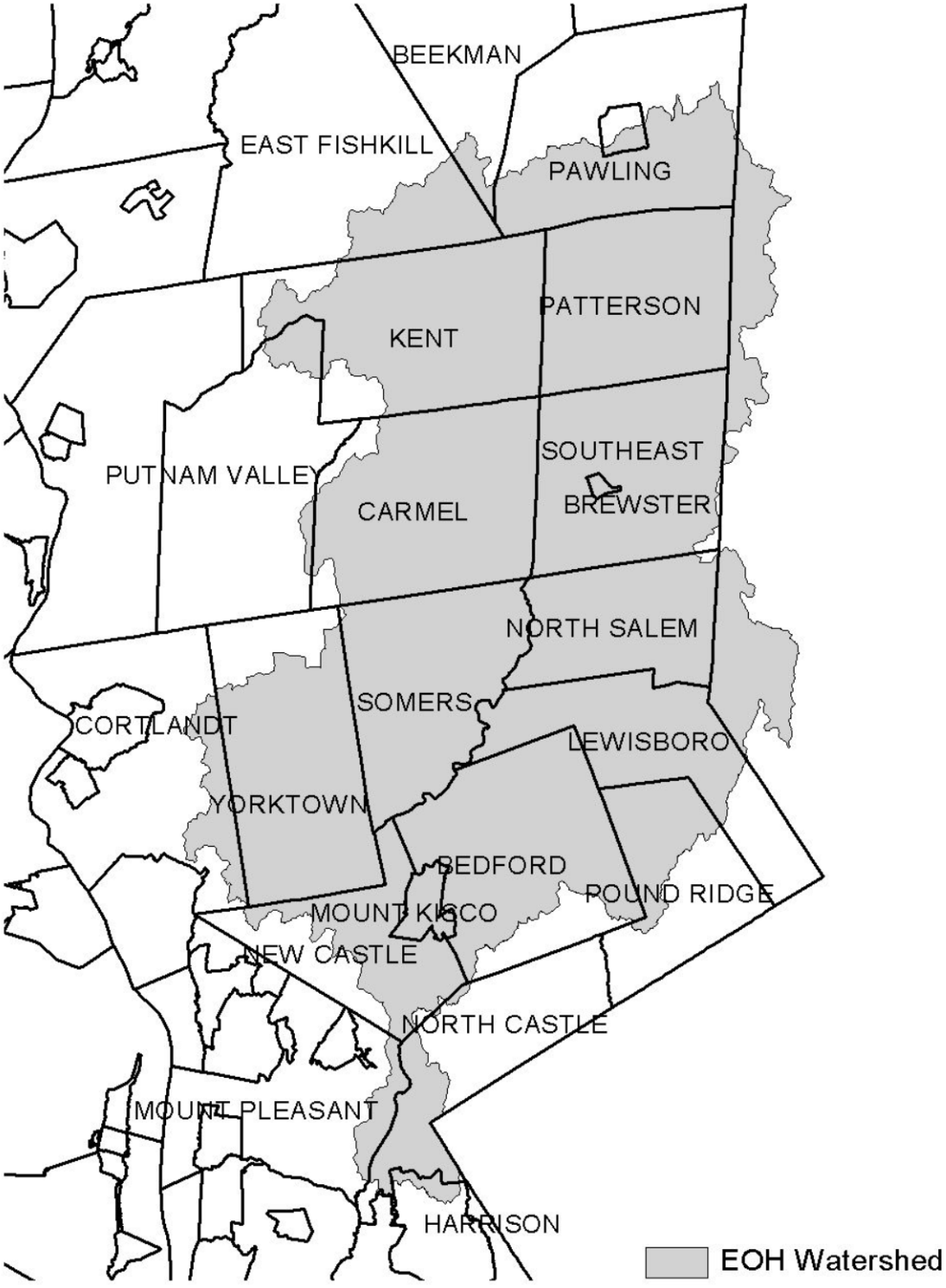


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

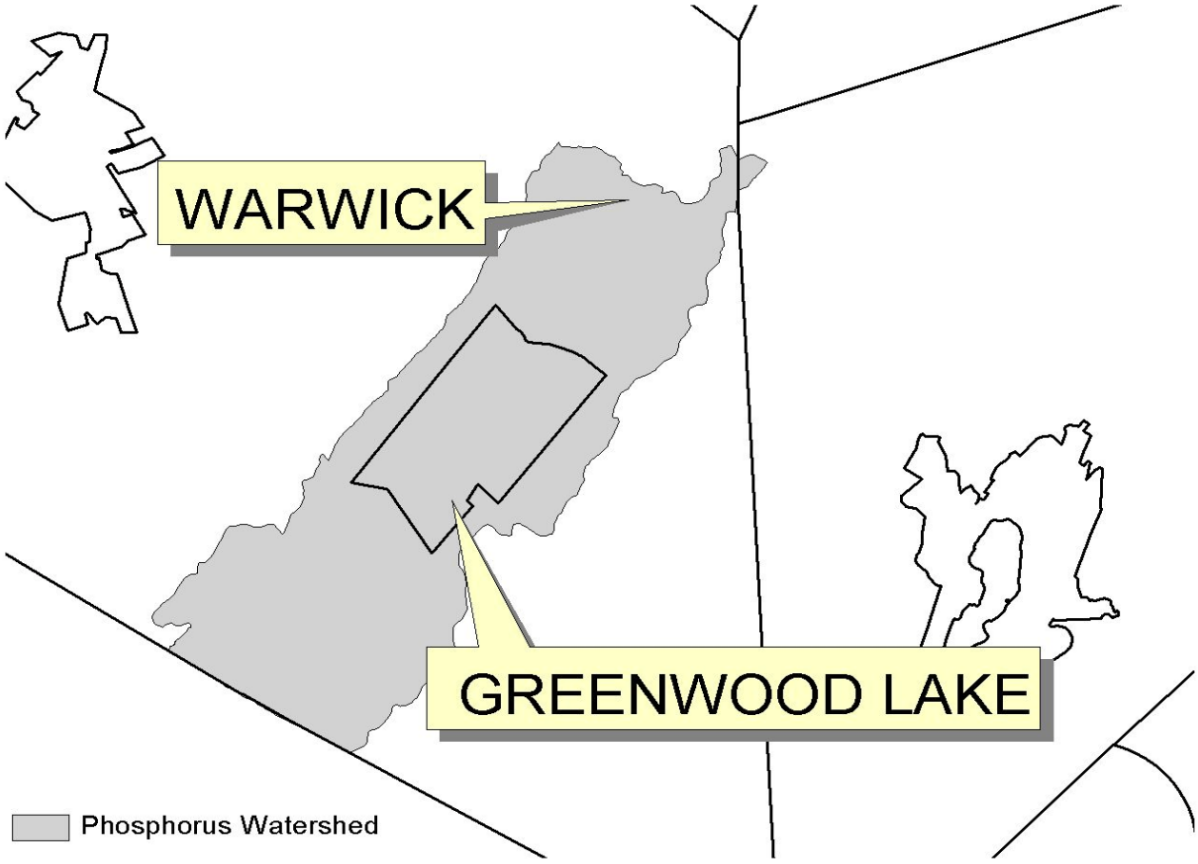


Figure 4 - Oscawana Lake Watershed

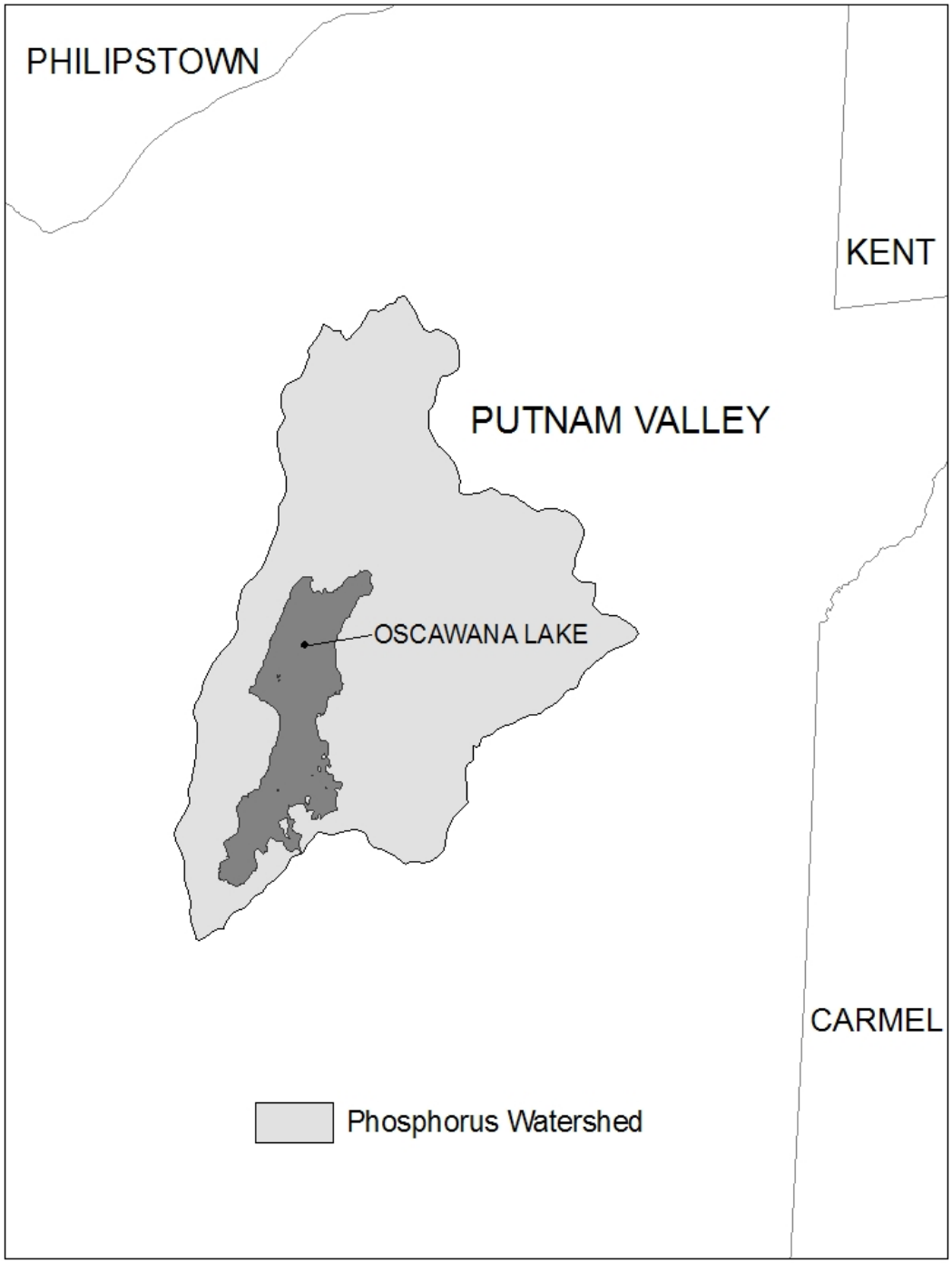
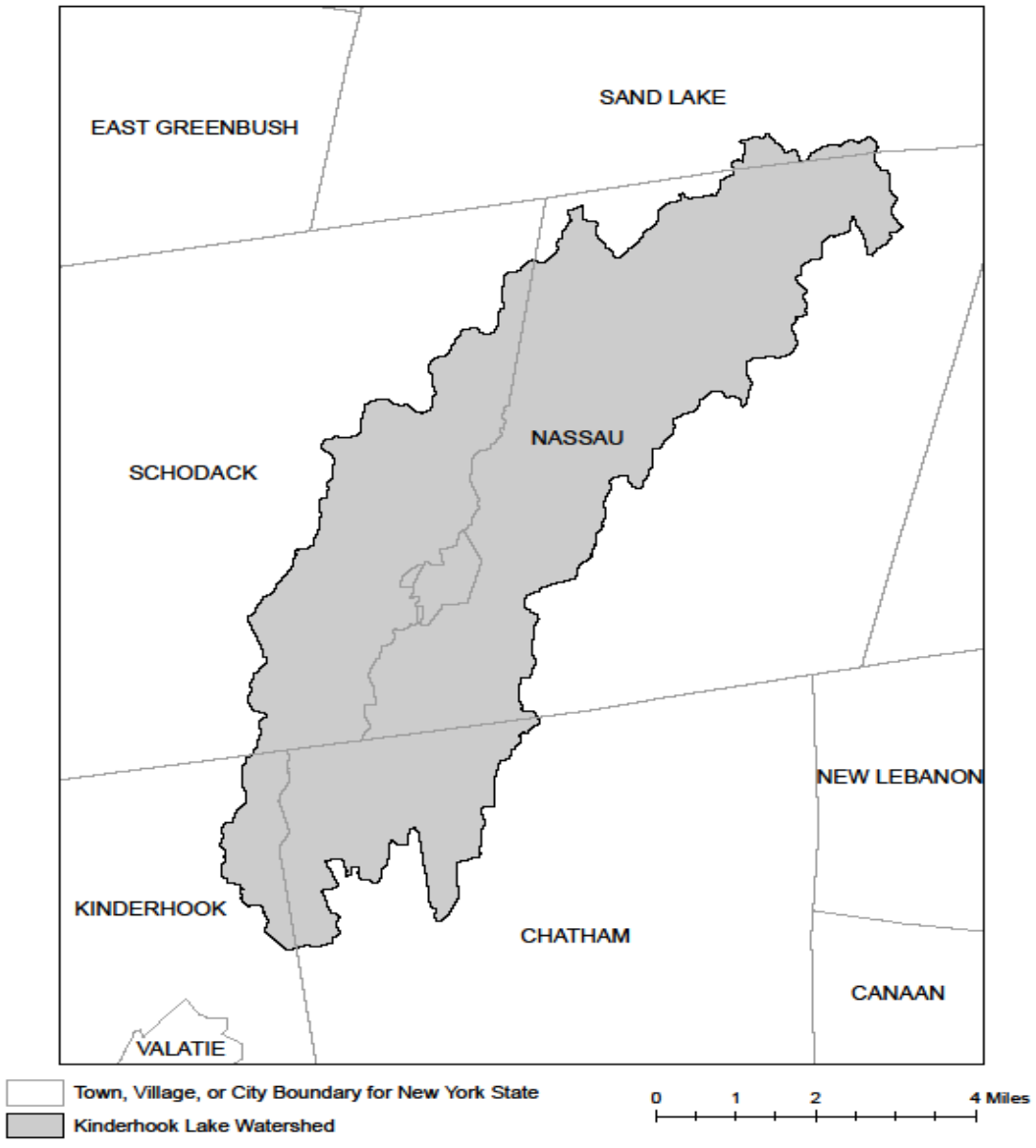


Figure 5: Kinderhook Lake Watershed



XI. APPENDIX D

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

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

XII. APPENDIX E

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY
Albany	Ann Lee (Shakers) Pond, Stump Pond
Albany	Basic Creek Reservoir
Allegheny	Amity Lake, Saunders Pond
Bronx	Van Cortlandt Lake
Broome	Whitney Point Lake/Reservoir
Broome	Fly Pond, Deer Lake
Broome	Minor Tribs to Lower Susquehanna (north)
Cattaraugus	Allegheny River/Reservoir
Cattaraugus	Case Lake
Cattaraugus	Linlyco/Club Pond
Cayuga	Duck Lake
Chautauqua	Chautauqua Lake, North
Chautauqua	Chautauqua Lake, South
Chautauqua	Bear Lake
Chautauqua	Chadakoin River and tribs
Chautauqua	Lower Cassadaga Lake
Chautauqua	Middle Cassadaga Lake
Chautauqua	Findley Lake
Clinton	Great Chazy River, Lower, Main Stem
Columbia	Kinderhook Lake
Columbia	Robinson Pond
Dutchess	Hillside Lake
Dutchess	Wappinger Lakes
Dutchess	Fall Kill and tribs
Erie	Green Lake
Erie	Scajaquada Creek, Lower, and tribs
Erie	Scajaquada Creek, Middle, and tribs
Erie	Scajaquada Creek, Upper, and tribs
Erie	Rush Creek and tribs
Erie	Ellicott Creek, Lower, and tribs
Erie	Beeman Creek and tribs
Erie	Murder Creek, Lower, and tribs
Erie	South Branch Smoke Cr, Lower, and tribs
Erie	Little Sister Creek, Lower, and tribs
Essex	Lake George (primary county: Warren)
Genesee	Black Creek, Upper, and minor tribs
Genesee	Tonawanda Creek, Middle, Main Stem
Genesee	Oak Orchard Creek, Upper, and tribs
Genesee	Bowen Brook and tribs
Genesee	Bigelow Creek and tribs
Genesee	Black Creek, Middle, and minor tribs
Genesee	LeRoy Reservoir
Greene	Schoharie Reservoir
Greene	Sleepy Hollow Lake
Herkimer	Steele Creek tribs
Kings	Hendrix Creek
Lewis	Mill Creek/South Branch and tribs
Livingston	Conesus Lake
Livingston	Jaycox Creek and tribs
Livingston	Mill Creek and minor tribs
Livingston	Bradner Creek and tribs
Livingston	Christie Creek and tribs
Monroe	Lake Ontario Shoreline, Western
Monroe	Mill Creek/Blue Pond Outlet and tribs
Monroe	Rochester Embayment - East
Monroe	Rochester Embayment - West
Monroe	Unnamed Trib to Honeoye Creek
Monroe	Genesee River, Lower, Main Stem
Monroe	Genesee River, Middle, Main Stem
Monroe	Black Creek, Lower, and minor tribs
Monroe	Buck Pond
Monroe	Long Pond
Monroe	Cranberry Pond
Monroe	Mill Creek and tribs
Monroe	Shipbuilders Creek and tribs
Monroe	Minor tribs to Irondequoit Bay
Monroe	Thomas Creek/White Brook and tribs
Nassau	Glen Cove Creek, Lower, and tribs
Nassau	LI Tribs (fresh) to East Bay
Nassau	East Meadow Brook, Upper, and tribs
Nassau	Hempstead Bay
Nassau	Hempstead Lake
Nassau	Grant Park Pond
Nassau	Beaver Lake
Nassau	Camaans Pond
Nassau	Halls Pond
Nassau	LI Tidal Tribs to Hempstead Bay
Nassau	Massapequa Creek and tribs
Nassau	Reynolds Channel, east
Nassau	Reynolds Channel, west
Nassau	Silver Lake, Lofts Pond
Nassau	Woodmere Channel
Niagara	Hyde Park Lake
Niagara	Lake Ontario Shoreline, Western
Niagara	Bergholtz Creek and tribs
Oneida	Ballou, Nail Creeks
Onondaga	Ley Creek and tribs
Onondaga	Onondaga Creek, Lower and tribs

APPENDIX E

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

COUNTY	WATERBODY	COUNTY	WATERBODY
Onondaga	Onondaga Creek, Middle and tribs	Suffolk	Great South Bay, West
Onondaga	Onondaga Creek, Upp, and minor tribs	Suffolk	Mill and Seven Ponds
Onondaga	Harbor Brook, Lower, and tribs	Suffolk	Moriches Bay, East
Onondaga	Ninemile Creek, Lower, and tribs	Suffolk	Moriches Bay, West
Onondaga	Minor tribs to Onondaga Lake	Suffolk	Quantuck Bay
Onondaga	Onondaga Creek, Lower, and tribs	Suffolk	Shinnecock Bay (and Inlet)
Ontario	Honeoye Lake	Sullivan	Bodine, Montgomery Lakes
Ontario	Hemlock Lake Outlet and minor tribs	Sullivan	Davies Lake
Ontario	Great Brook and minor tribs	Sullivan	Pleasure Lake
Orange	Monhagen Brook and tribs	Sullivan	Swan Lake
Orange	Orange Lake	Tompkins	Cayuga Lake, Southern End
Orleans	Lake Ontario Shoreline, Western	Tompkins	Owasco Inlet, Upper, and tribs
Oswego	Pleasant Lake	Ulster	Ashokan Reservoir
Oswego	Lake Neatahwanta	Ulster	Esopus Creek, Upper, and minor tribs
Putnam	Oscawana Lake		
Putnam	Palmer Lake	Ulster	Esopus Creek, Lower, Main Stem
Putnam	Lake Carmel	Ulster	Esopus Creek, Middle, and minor tribs
Queens	Jamaica Bay, Eastern, and tribs (Queens)		
Queens	Bergen Basin	Warren	Lake George
Queens	Shellbank Basin	Warren	Tribs to L.George, Village of L George
Rensselaer	Nassau Lake		
Rensselaer	Snyders Lake	Warren	Huddle/Finkle Brooks and tribs
Richmond	Grasmere, Arbutus and Wolfes Lakes	Warren	Indian Brook and tribs
Rockland	Congers Lake, Swartout Lake	Warren	Hague Brook and tribs
Rockland	Rockland Lake	Washington	Tribs to L.George, East Shr Lk George
Saratoga	Ballston Lake		
Saratoga	Round Lake	Washington	Cossayuna Lake
Saratoga	Dwaas Kill and tribs	Washington	Wood Cr/Champlain Canal, minor tribs
Saratoga	Tribs to Lake Lonely		
Saratoga	Lake Lonely	Wayne	Port Bay
Schenectady	Collins Lake	Wayne	Marbletown Creek and tribs
Schenectady	Duane Lake	Westchester	Lake Katonah
Schenectady	Mariaville Lake	Westchester	Lake Mohegan
Schoharie	Engleville Pond	Westchester	Lake Shenorock
Schoharie	Summit Lake	Westchester	Reservoir No.1 (Lake Isle)
Schuyler	Cayuta Lake	Westchester	Saw Mill River, Middle, and tribs
St. Lawrence	Fish Creek and minor tribs	Westchester	Silver Lake
St. Lawrence	Black Lake Outlet/Black Lake	Westchester	Teatown Lake
Steuben	Lake Salubria	Westchester	Truesdale Lake
Steuben	Smith Pond	Westchester	Wallace Pond
Suffolk	Millers Pond	Westchester	Peach Lake
Suffolk	Mattituck (Marratooka) Pond	Westchester	Mamaroneck River, Lower
Suffolk	Tidal tribs to West Moriches Bay	Westchester	Mamaroneck River, Upp, and tribs
Suffolk	Canaan Lake	Westchester	Sheldrake River and tribs
Suffolk	Lake Ronkonkoma	Westchester	Blind Brook, Lower
Suffolk	Beaverdam Creek and tribs	Westchester	Blind Brook, Upper, and tribs
Suffolk	Big/Little Fresh Ponds	Westchester	Lake Lincolndale
Suffolk	Fresh Pond	Westchester	Lake Meahaugh
Suffolk	Great South Bay, East	Wyoming	Java Lake
Suffolk	Great South Bay, Middle	Wyoming	Silver Lake

Note: The list above identifies those waters from the final New York State "2014 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy", dated January 2015, that are impaired by silt, sediment or nutrients.

XIII. APPENDIX F

LIST OF NYS DEC REGIONAL OFFICES

Region	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, PO BOX 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070