

APPLICATION INSTRUCTIONS

The DEC Great Lakes Erosion Control General Permit (GP-0-20-004) allows certain types of shoreline stabilization and repair activities along the shorelines of Lake Erie, Lake Ontario, Niagara River, St. Lawrence River and associated embayments and tributaries. To obtain coverage under GP-0-20-004, each applicant must prepare the application form and required attachments, then send them to DEC for review and approval. Only after receiving written approval from DEC authorizing coverage under GP-0-20-004 may work start on a project.

To apply for coverage under GP-0-20-004, please follow the instructions below. Failure to provide all required information will delay the review of your application or may result in denial of your application.

Applicant Information

- ☐ **Name of Applicant:** In the space provided, identify the applicant's name and complete contact information, including e-mail address. Indicate whether the applicant is the property owner, a lessee or an operator. In most cases, the property owner should be the applicant and they will be legally responsible for the work performed under the permit. The applicant is not the project consultant or contractor.
- ☐ **Name of Property Owner (if different from applicant):** If the applicant is different than the property owner, the property owner's name and contact information is entered here.
- ☐ **Name of Application Contact or Contractor (if applicable):** If there is a contact person or contractor who should also receive DEC correspondence on the applicant's behalf, enter the name and complete contact information here, including e-mail address. Leave this blank if there is no other application contact.
- ☐ **Project Location (where work will be done):** In the space provided, identify the physical location and address of the project site, even if it is the same as the mailing address of the landowner provided above. Please note that the "Town" is where property taxes are paid and may differ from the "City" of the address.

Project Description

In the space provided, provide a short, written description of the work proposed on the site, including the overall dimensions of the work area and the materials to be used. Attach additional sheets if necessary.

Required Attachments

In addition to the application form, a complete application must include the following items:

- ☐ **Project location map:** A map is needed to precisely identify the location of the project. The map should show the names of the nearest roads and be marked and labeled clearly to show the project location. There are online map tools that can be used to create a location map – links to a couple of popular sites are listed here: www.bing.com/maps and www.google.com/maps. For either site, the physical address can be entered in the search window and the map can be printed from within the site (using Bing) or internet browser (using Google).
- ☐ **Project site photographs:** Provide several photographs of the project site from different directions. The photos must show the existing conditions at the time of filing your application - including all structures, shoreline areas and work areas that will be part of your project. You may also provide pre-damage photographs for reference, if available. Please note that some portions of actively eroding sites may be unstable. Please do not compromise your personal safety to obtain photographs - where the site is a high steep bluff or presents other hazards, for example.

- **Project drawing – Overhead view (plan view):** A drawing must be prepared showing the proposed work from above. Examples are provided in Attachment A to these instructions. The drawing may be hand-drawn or professionally prepared, but it must include the following:
 - Locations of property lines
 - Locations of existing structures (houses, sheds, decks, docks, etc.) and distances to proposed work
 - Location of existing shoreline, with the mean high-water (MHW) line marked. See Attachments B-1 and B-2 to these instructions to approximate the location of the mean high-water line.
 - Location and dimensions (length, width, etc.) of proposed work and proposed structures.
 - Labels to identify proposed structures
 - Location and method of construction access
 - Name of preparer, date of drawing, and, if drawing is to scale, show the scale.
- **Project drawing – Side view (cross-section):** A drawing must be prepared showing the proposed work from the side. Examples are provided in Attachment A to these instructions. The drawing may be hand-drawn or professionally prepared, but it must include the following:
 - Locations of existing structure(s) and distance to proposed work
 - Location of the existing shoreline, with the MHW line marked. See Attachments B-1 and B-2 to these instructions to approximate the location of the MHW line.
 - Location and dimensions (height, width, slope) of proposed work
 - Labels identifying the material type(s) and sizes to be used. Stone sizes must be identified.
 - Name of preparer, date of drawing, and, if drawing is to scale, show the scale.

Activity Type(s)

The activity types listed in the application form are the same activity types listed in GP-0-20-004. Please check any activity types that apply to the work you propose. If the work you propose is not included within the activities listed, or exceeds the limits for certain activities, then your project is ineligible for coverage under GP-0-20-004, and an application for an individual permit must be filed (see: <https://www.dec.ny.gov/permits/86547.html>)

Certification

The applicant must sign the application. If the applicant is different than the property owner, the property owner must also sign the application. Applications will not be accepted without a property owner's signature.

Filing Application

Once all application materials above are prepared, including required attachments, the application must be filed with the appropriate regional DEC office listed on page 3 of these instructions. We encourage electronic filing. If filing electronically, we encourage all materials to be provided in Adobe *.pdf format, preferably in one file containing all the materials as an attachment to an e-mail. In addition, a follow-up hard copy should be mailed.

Please allow several weeks for review of your application before contacting the DEC office. We will evaluate your application to ensure our permitting standards are met and that any waterward encroachment is minimized. You will be contacted if additional information is required. If your project is determined ineligible for coverage under GP-0-20-004, you will be contacted with instructions about applying for an individual permit.

Once the DEC review is complete, and you are eligible for coverage under GP-0-20-004, you will be provided with written approval. Work may begin only after DEC's written approval. All projects must comply with the terms and the conditions in the general permit, so you must read it carefully, and contact the DEC regional office if you or your contractor have any questions about what is required.

DEC Regional Offices and Environmental Permits Contacts

NYS Department of Environmental Conservation

<https://www.dec.ny.gov/about/39381.html>

NYS DEC REGION 6

Regional Permit Administrator
Dulles State Office Building
317 Washington Street
Watertown, NY 13601-3787
phone: 315-785-2245
fax: 315-785-2242
email: dep.r6@dec.ny.gov
➤ For Jefferson, and St. Lawrence Counties

NYS DEC REGION 7

Regional Permit Administrator
615 Erie Blvd West, Room 206
Syracuse, NY 13204-2400
phone: 315-426-7438
fax: 315-426-7425
email: dep.r7@dec.ny.gov
➤ For Cayuga, and Oswego Counties

NYS DEC REGION 8

Regional Permit Administrator
6274 East Avon - Lima Road
Avon, NY 14414-9519
phone: 585- 226-5400
fax: 585-226-2830
email: dep.r8@dec.ny.gov
➤ For Monroe, Orleans, and Wayne Counties

NYS DEC REGION 9

Regional Permit Administrator
700 Delaware Avenue
Buffalo, NY 14209
phone: 716-851-7165
fax: 716-851-7168
email: dep.r9@dec.ny.gov
➤ For Chautauqua, Erie, and Niagara Counties

Jurisdictions of Other Agencies

Projects that qualify for the General Permit also qualify for U.S. Army Corps of Engineers (USACE) Nationwide Permits 3, 13, and/or 19 and are covered by New York State Department of State (DOS) Coastal Consistency Certification. To ensure permit compliance please review the complete terms and conditions of the USACE Nationwide Permits at <http://www.lrb.usace.army.mil/Lake-Ontario-High-Water/>. Generally, if you follow the conditions of the General Permit, no further coordination with the USACE or DOS is required, except for the following circumstances:

1. Certain activities may require USACE pre-construction notification or approval under the Federal Endangered Species Act. Before starting work, contact the USACE by sending a copy of the GP application package to: LRB.NewYork.RegActions@usace.army.mil for approval for any project that involves the following activities:
 - a. Tree removal in all towns in Jefferson County; the Towns of Hammond, Morristown, and Oswegatchie in St. Lawrence County; and Towns of Sandy Creek and Richland, Oswego County.
 - b. Activities in federally-regulated wetlands in the Towns of Huron and Wolcott, Wayne County.
 - c. Activities in federally-regulated wetlands in Cayuga and Oswego Counties.
 - d. Activities within sandy shorelines in the Towns of Sandy Creek and Richland, Oswego County.
 - e. Activities within federally-regulated wetlands or sandy shorelines in the Towns of Henderson and Ellisburg, Jefferson County.
 - f. Projects that involve the placement of stone below the mean high water line in excess of an average of one cubic yard per running foot of shoreline. Note for 1(f): The GP application package must also be sent to the NYS DOS along with a Federal Coastal Assessment Form for concurrence.
2. If your project does not qualify for the GP a Joint Application for permit and Federal Coastal Assessment Form must be submitted to DEC, USACE, and DOS. The permit application forms can be found at: <https://www.lrb.usace.army.mil/Missions/Regulatory/New-York-Permit-Information/> and <https://www.dos.ny.gov/opd/programs/consistency/instructions.html>

US Army Corps of Engineers and NYS Department of State Contacts

US Army Corps of Engineers, Buffalo District
Regulatory Branch, District Office
1776 Niagara Street
Buffalo, New York 14207
phone: 716-879-4330
email: LRB.NewYork.RegActions@usace.army.mil

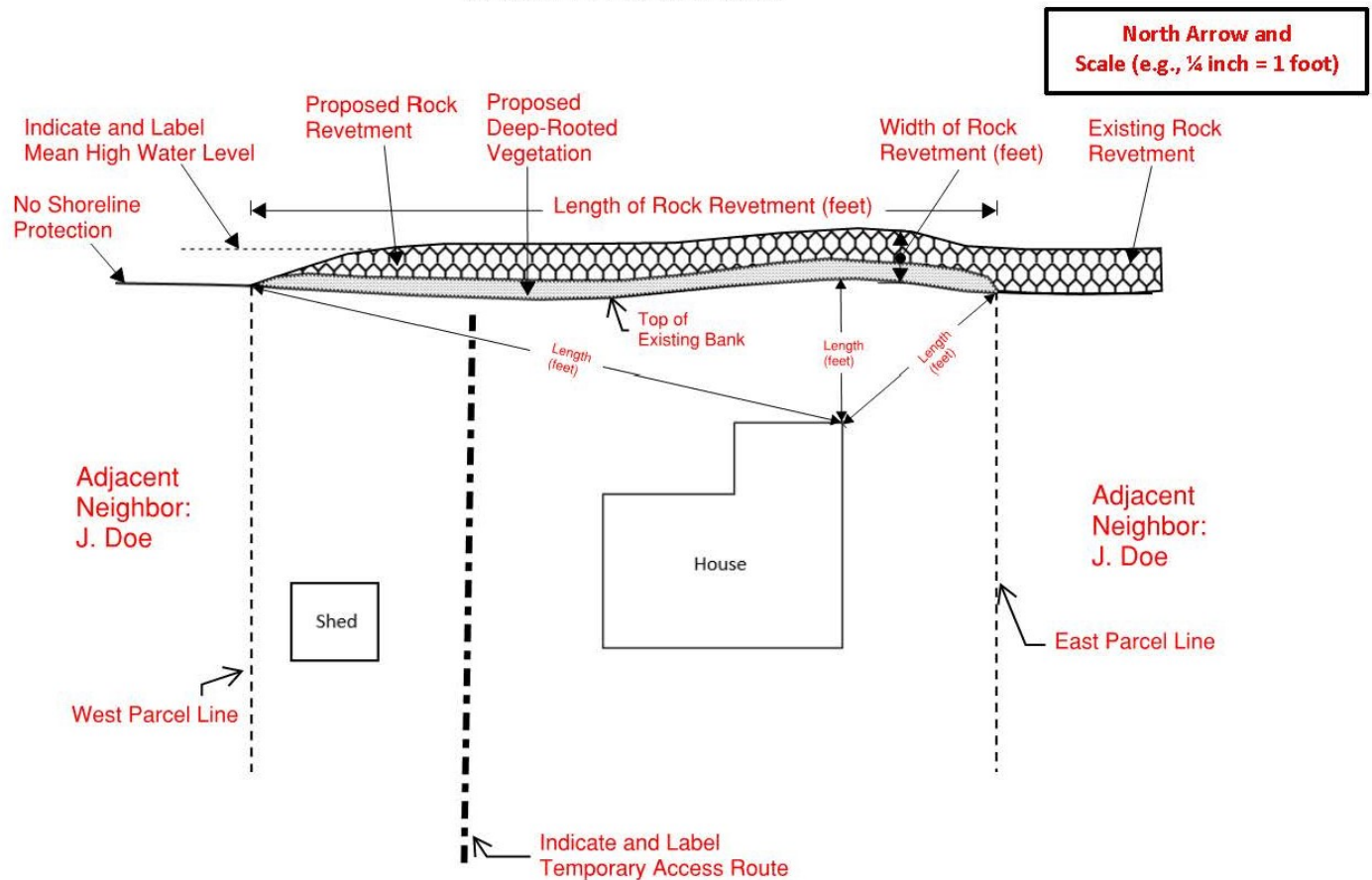
NYS Department of State, Planning & Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
phone: 518-474-6000
email: cr@dos.ny.gov

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APPLICATION INSTRUCTIONS – ATTACHMENT A-1

SAMPLE PLAN VIEW – ROCK REVETMENT

SAMPLE Site Plan



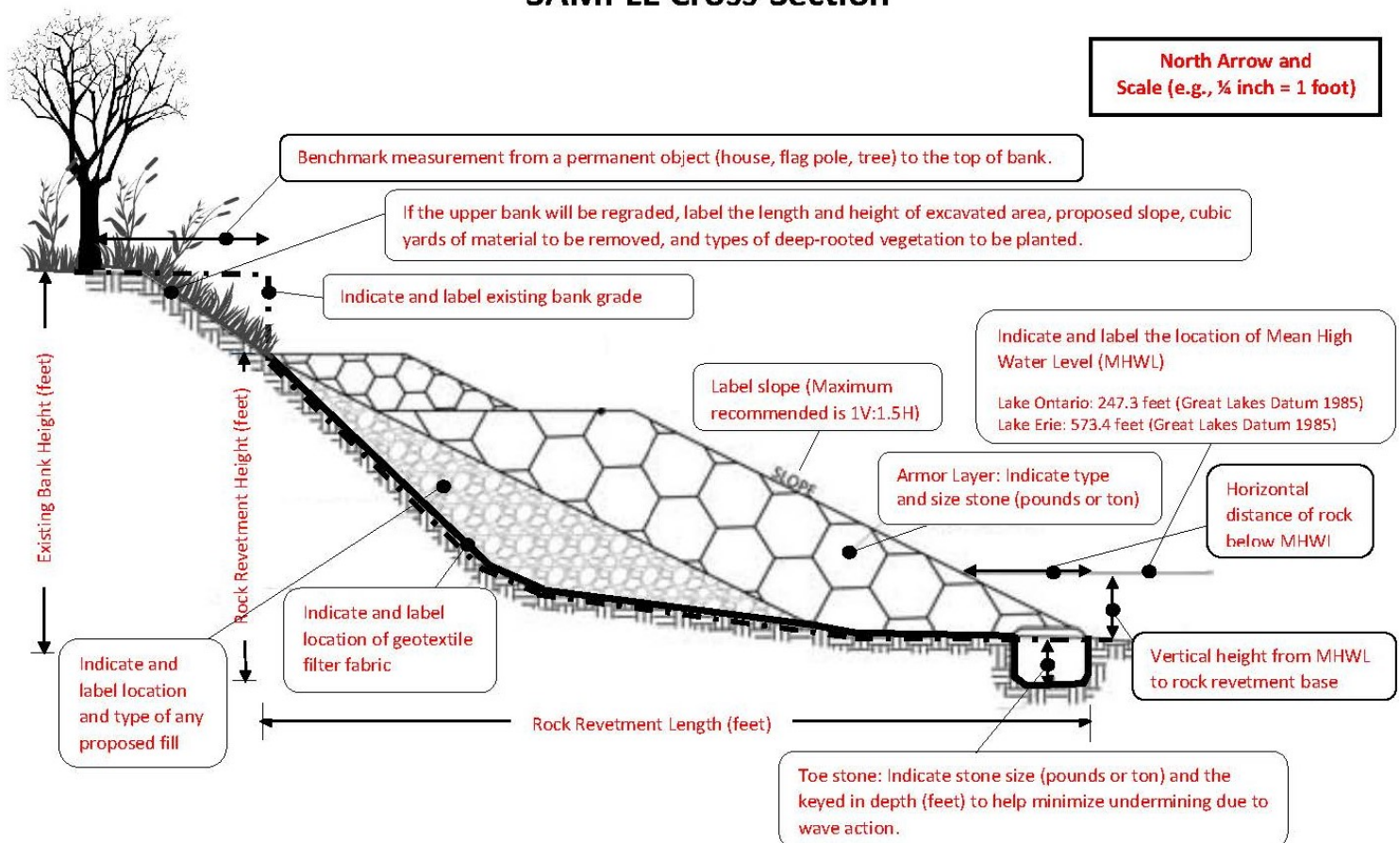
Name of Property Owner
Project Location Address (street and number)
Date Prepared

NOTE: If multiple cross-sections are necessary, the locations of each cross-section must be indicated on the Site Plan.

APPLICATION INSTRUCTIONS – ATTACHMENT A-2

SAMPLE CROSS-SECTION VIEW – ROCK REVETMENT

SAMPLE Cross-Section

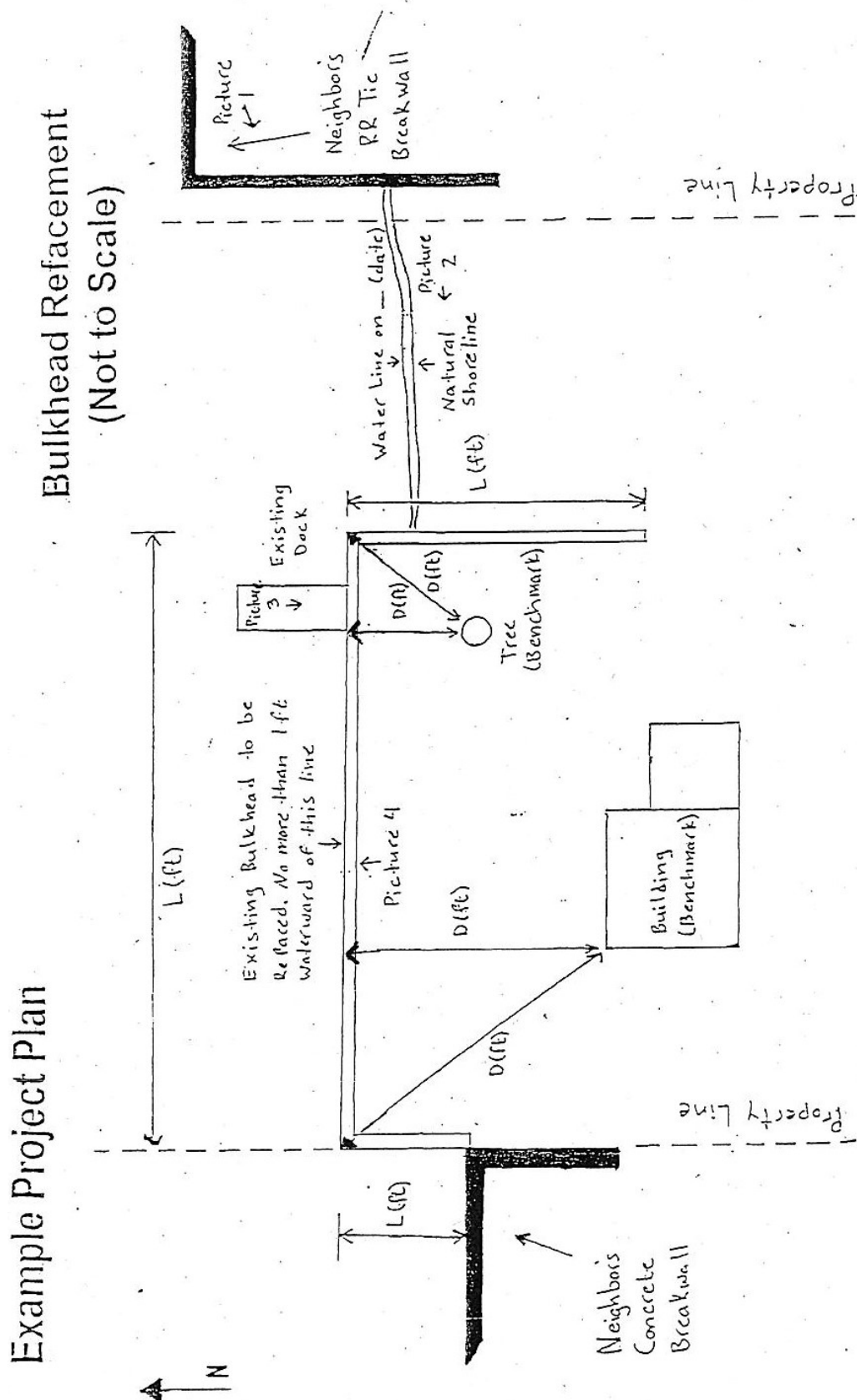


Name of Property Owner
Project Location Address (street and number)
Date Prepared

NOTE: Applicant must have a cross-section for all proposed designs. If multiple cross-sections are necessary, the locations of each cross-section must be indicated on the Site Plan.

APPLICATION INSTRUCTIONS – ATTACHMENT A-3

SAMPLE PLAN VIEW – BULKHEAD REPAIR



DEC Note: This diagram is not all inclusive of potential system designs. It depicts the basic information we need to review an application of this type.

$L(f) = \text{Length of face of existing Bulkhead (corner to corner)}$

D (ft) = Distance (in feet) from Benchmark to bottom outside edge of existing bulkhead

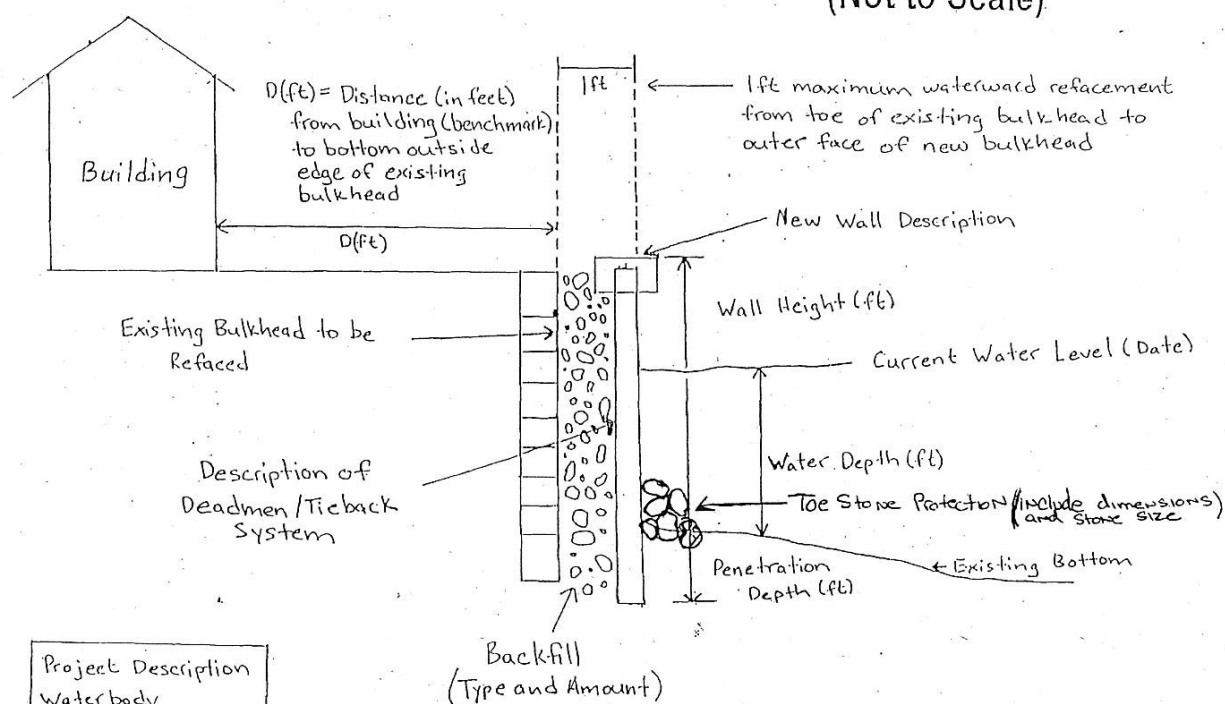
Project Description	Waterbody	Village	Applicant Name	consultant Name	Date Prepared
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APPLICATION INSTRUCTIONS – ATTACHMENT A-4

SAMPLE CROSS-SECTION – BULKHEAD REPAIR

Example Cross Section Diagram

Bulkhead Refacement
(Not to Scale)



Project Description
Waterbody
Village
Applicant Name
Consultant Name
Date Prepared

DEC Note: This diagram is not all inclusive of potential system designs. It depicts the basic information we need to review an application of this type.

APPLICATION INSTRUCTIONS – ATTACHMENT B-1

MEAN HIGH WATER ELEVATION APPROXIMATION

This document provides a general method to approximate the location of the Mean High Water (MHW) elevation on any given day. It may be used to approximate the location of MHW level on permit application plans but cannot be relied on for jurisdictional determinations. Final determinations on the location of the MHW level are the sole responsibility of DEC staff and depend on the required review of additional site-specific characteristics and conditions¹.

St. Lawrence and Niagara Rivers

To approximate the MHW level at your shoreline on the St. Lawrence or Niagara River, you will need to look at drift lines, stain lines, scouring and changes in vegetation (see definition of MHW in Attachment B-2). There is no nominal elevation for the MHW elevation on the St. Lawrence and Niagara Rivers.

Lake Ontario and Lake Erie

The nominal MHW elevations for Lake Erie and Lake Ontario are contained in DEC's Protection of Water Regulations (6 NYCRR Part 608). The nominal elevations provided below:

Mean High Water Elevation (feet above sea level) (IGLD '85)	
Lake Ontario	247.30
Lake Erie	573.40

The shorelines of Lakes Ontario and Erie are highly dynamic and subject to seasonal and temporary material deposition and loss. As such, the nominal elevations provided above are not the sole factor in determining the location of the MHW level. Final determinations on the location of the MHW level are the sole responsibility of DEC staff and depend on the required review of additional site-specific characteristics and conditions, which include all of the characteristics set forth in 6 NYCRR Part 608.1(r).

To approximate the location of the MHW elevation at your shoreline on Lake Ontario or Lake Erie for purposes of plan preparation, the method outlined here may be used. A diagram illustrating this method is also provided on the second page of these instructions.

1. Pick a day that is relatively calm since you will be using the surface of the lake for your measurements and choppy water is difficult to measure.

- The Mean High Water (MHW) elevations for Lake Ontario and Lake Erie are 247.30 ft and 573.40 ft above the mean sea level (AMSL), respectively. However, the current day's water elevation fluctuates and may be higher or lower than the MHW elevation.
- Determine the current day's water elevation. Visit the National Oceanic and Atmospheric Association's website to find the water level at the current day and time at one of the following locations nearest your site:

Lake Ontario:

- Cape Vincent, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9052000>
- Rochester, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9052058>
- Oswego, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9052030>
- Olcott, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9052076>

Lake Erie:

- Erie, PA:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9063038>
- Sturgeon Point, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9063028>
- Buffalo, NY:
<https://tidesandcurrents.noaa.gov/waterlevels.html?id=9063020>

- For example, you determine that the current day's level of Lake Ontario is 246.3 feet, which is one foot below its mean high elevation. (247.3 ft - 246.3 ft = 1 ft.).
- Using a yard stick or other measuring device, measure 1 foot vertically up from the surface of the water. This is the estimated MHW elevation of Lake Ontario.

(If the current water level was higher than the MHW elevation, you would measure from the surface of the water to a point below the water surface.)
- Using a laser level or string level, shoot the estimated MHW elevation to the shoreline.
- Place stakes (or paint or other markers) along the shoreline at the location of the MHW elevation.
- Repeat this process at regular intervals along the length of your shoreline.
- Transfer the location of the MHW elevation to your plan drawings that you will submit to the DEC. (see illustration on Attachment B-2 following this page).

¹ Mean High Water is defined in 6 NYCRR 608.1(r). See Attachment B-2 following this page.

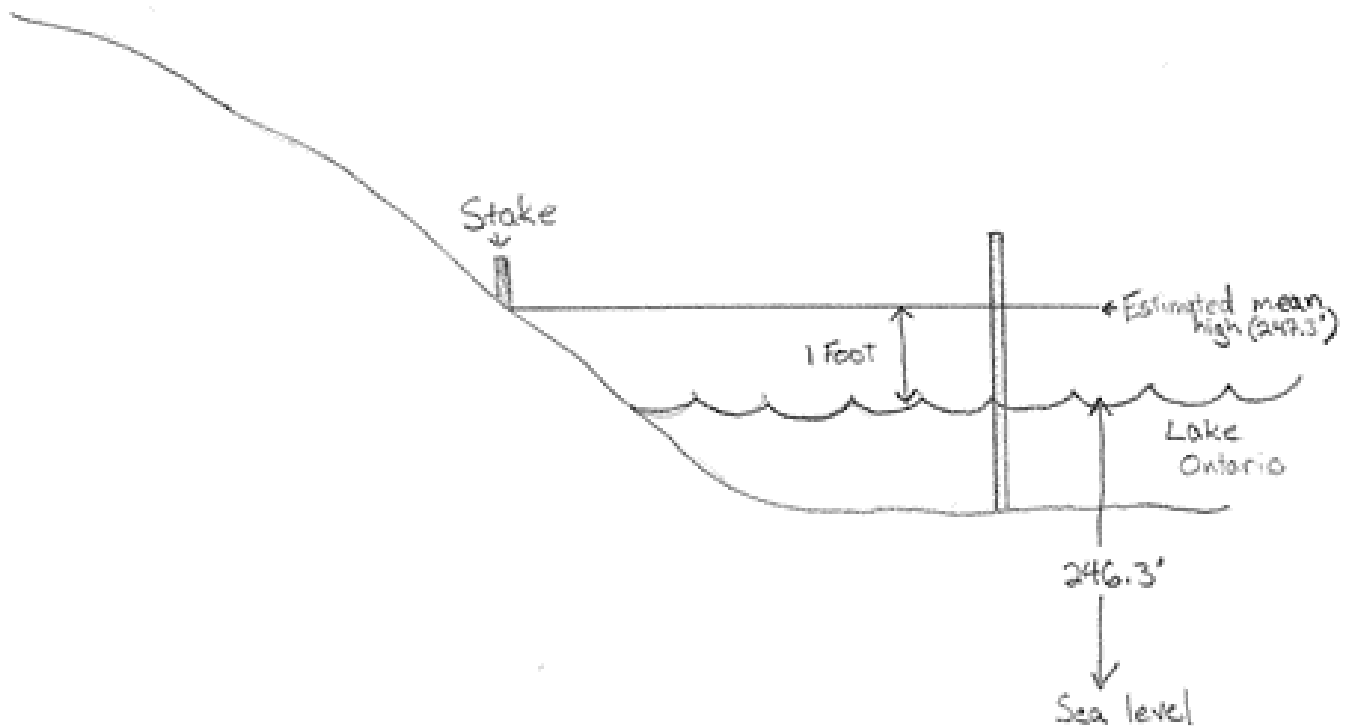
APPLICATION INSTRUCTIONS – ATTACHMENT B-2

MEAN HIGH WATER ELEVATION APPROXIMATION

Sample Illustration of Method

Lake Ontario

Example: Determine mean high on
Lake Ontario based on a water
level of 246.3'



10. Once the MHW elevation has been approximated using the method described above, it may require adjustment based on the required review of the characteristics contained in the definition of "mean high water" found in DEC Protection of Waters regulations at 6 NYCRR 608.1(r), which states:

"Mean low water or mean high water means, respectively, the approximate average low water level or high water level for a given body of water at a given location, that distinguishes between predominantly aquatic and predominantly terrestrial habitat as determined, in order of use by the following:

- (1) available hydrologic data, calculations, and other relevant information concerning water levels (e.g., discharge, storage, tidal, and other recurrent water elevation data); (mean high water elevations are established, using this method, for certain waterbodies as presented in section 608.11 of this Part);
- (2) vegetative characteristics (e.g., location, presence, absence or destruction of terrestrial or aquatic vegetation);
- (3) physical characteristics (e.g., clear natural line impressed on a bank, scouring, shelving, or the presence of sediments, litter or debris); and
- (4) other appropriate means that consider the characteristics of the surrounding area."