

TOWN OF LEWISBORO
Westchester County, New York



Stormwater Management Committee
11 Main Street
South Salem, New York 10590

Town of Lewisboro Stormwater Management Plan



Lewisboro Stormwater Committee

We're all downstream of someone

Adopted by Lewisboro Town Board on:

February 11, 2020

Signed:

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Stormwater Overview

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. It flows from rooftops, over paved areas and bare soil, and through sloped lawns while picking up a variety of materials on its way. The quality of runoff depends on the season, local meteorology, geography, and upon land use activities in the path of the flow. ([NYSDEC](#)) The pollutants carried by stormwater end up in our aquifers, wetlands, streams, and lakes, which damages their provision of ecosystem services.

Research by the US Environmental Protection Agency found stormwater runoff to be the leading source of water quality impairment to wetlands and the third largest source of impairment to lakes. Pollutants from untreated stormwater runoff can harm fish and wildlife, kill native vegetation, taint drinking water supplies and foul recreational areas. Stormwater runoff also increases the volume and rate at which water moves across the land and into lakes and streams, leading to erosion and flooding.

As stated by [NYSDEC](#), three State Pollutant Discharge Elimination System (SPDES) general permits are required for activities associated stormwater discharges.

- The Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP) addresses stormwater runoff from certain industrial activities. This permit requires facilities to develop Stormwater Pollution Prevention Plans (SWPPPs) and report the results of industry-specific monitoring to the New York State Department of Environmental Conservation (NYSDEC) on an annual basis.
- A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas. Permittees are required to develop Stormwater Management Program (SWMP) and submit annual reports to the Department.
- Construction activities disturbing one or more acres of soil must be authorized under the General Permit for Stormwater Discharges from Construction Activities. Permittees are required to develop a SWPPP to prevent discharges of construction-related pollutants to surface waters.

Under the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4's), regulated MS4s must establish stormwater management programs that reduce the discharge of pollutants to the maximum extent practical (MEP), employing program elements specified by the Phase II rule and embodying certain parts of the program in a local law or other regulatory mechanism.

The term MS4 includes both municipal and non-municipal systems of underground pipes and systems of streets and roads with drainage, catch basins, curbs, gutters, ditches, man-made channels or storm drains. An MS4 may be a city, town or village system.

This Stormwater Management Plan (SMP) was developed by the Town of Lewisboro to protect water quality and reduce the discharge of pollutants from the municipality's storm drainage system to the maximum extent practicable (MEP). This SMP addresses the requirements established by the New York State Department of Environmental Conservation (NYSDEC) General Permit for the Discharge of Stormwater from Municipal Separate Storm Sewer Systems (MS4 General Permit). This permit is the local enforcement mechanism of the U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Stormwater Phase II Rule.

Town of Lewisboro Stormwater Summary

The Town of Lewisboro, Westchester County, New York was identified by the New York State Department of Environmental Conservation as a Municipal Separate Storm Sewer System (MS4) municipality, and obtained stormwater permit coverage in 2003 under General Permit GP-02-02. The Town NYSDEC permit number is NYR20A227. Requirements to obtain coverage were the submittal of a Notice of Intent (NOI) and an initial five year Stormwater Management Plan (SWMP) to NYSDEC.

SMP Structure

The Stormwater Management Plan includes details of the following required six minimum stormwater control measures (MCM).

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination (IDDE)
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention/Good Housekeeping for Municipal Operations

Required annual reports to document implementation progress are submitted to NYSDEC each year covered by the General Permit. Starting in 2017, the Town of Lewisboro has submitted semi annual interim reports to document progress against the annual goals.

Effective May 1, 2008, NYSDEC issued General Permit GP-0-08-002, a revised permit. Municipal Separate Storm Sewer Systems Permit [GP-0-15-003](#) was originally issued in April 2015. The second modification became effective on January 13, 2016. The Town of Lewisboro is a continuing MS4 permittee under this permit. The General Permit has mandatory components that MS4's must follow in order to maintain compliance. In addition, the area of the Town of Lewisboro located within the New York City drinking water supply watershed is subject to mandatory additional stormwater measures known as East of Hudson (EOH) heightened requirements to reduce the identified pollutant of concern (POC), phosphorous.

This Stormwater Management Plan (SWMP) complies with applicable NYSDEC MS4 and EOH requirements. It is a narrative plan which details the measures that the Town of Lewisboro will use to implement and enforce required GP-0-15-003 stormwater permit compliance and to reduce discharge of pollutants to the maximum extent practicable (MEP). The plan is flexible and this draft will be modified as necessary when the expected new stormwater permit is issued.

Town of Lewisboro Stormwater Committee and SMP Development

The Town of Lewisboro established a Stormwater Management Committee in 2007. The committee chair is a member of the public and committee members include the Town's Planning and Engineering consultants and representatives from Highway, Maintenance, and the Planning Board and a Town Board liaison. This committee coordinates the development and implementation of the SMP. This group also prepares the Interim and Annual Reports for the Town Board to review, publicize, adopt, and submit to NYSDEC.

Information about the Town of Lewisboro

The operator of the MS4 is the Town of Lewisboro, located in Westchester County, in NY, and about 50 miles north of New York City. Lewisboro covers an area of approximately 29.16 square miles, of which water is approximately 1.42 square miles (4.9%). The town is located in the southeast portion of the state and the northeast corner of the county. See Figure 1.

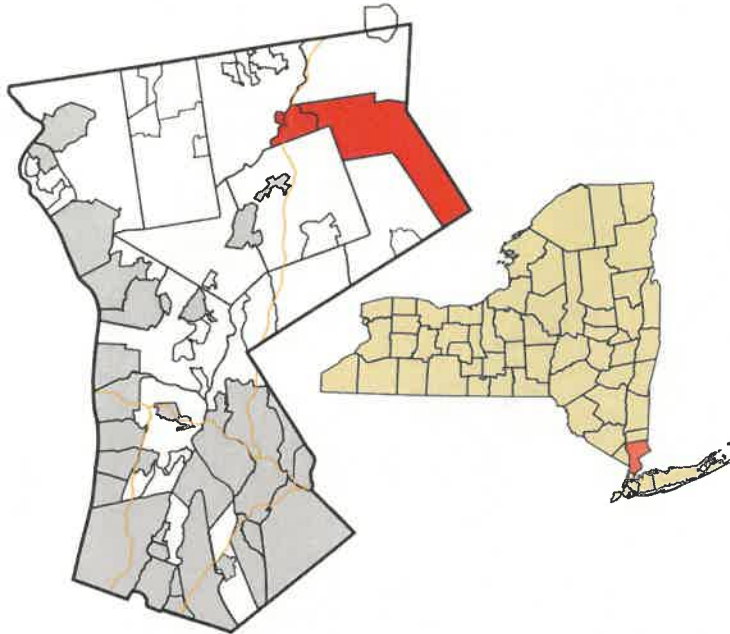


Figure 1 Location of the Town of Lewisboro

The Town of Lewisboro has approximately 4218 households, 5900 parcels, 92 miles of roads, and 12,766 people. The Town is partially bordered by the State of Connecticut, and watersheds cross the state boundary.

Lewisboro has six hamlets, but no significant commercial center or industry. The hamlets are Goldens Bridge, Cross River, Waccabuc, South Salem, Lewisboro, and Vista, all governed by the Lewisboro Town Government. Post Offices are located in Goldens Bridge (10526), Cross River (10518), Waccabuc (10597), and South Salem (10590). The School District is the Katonah-Lewisboro School District, and includes parts of the Town of Bedford. Schools in the system include Katonah Elementary School, Increase Miller Elementary School, Lewisboro Elementary School, Meadow Pond Elementary School, John Jay Middle School, and John Jay High School. While some portions of the town are sewerred, the majority of the homes are served by onsite wastewater treatment systems.

Part of the Town of Lewisboro is an MS4 which discharges to the Cross River Reservoir, a 303d listed impaired waterbody. In addition to the normal concerns, being within the watershed of the reservoirs of the Croton River Watershed of the City of New York puts portions of Lewisboro into the New York City East of Hudson (EOH) watershed, the Watershed Improvement Area described by Part IX of the permit. The covered entities in the watershed improvement strategy areas must develop or modify their SWMP to address the additional watershed specific requirements to achieve the pollutant load reduction by the deadlines specified in Tables IX.A through D. The requirements contained in Part IX are in addition to the applicable requirements in Part VII, minimum control measures for a traditional MS4. The identified pollutant of concern is phosphorous.

Town of Lewisboro Regulated MS4s

From Stormwater Interactive Map: <http://www.dec.ny.gov/gis/stormwater/> , showing the regulated MS4s are automatic and designated in 2003.

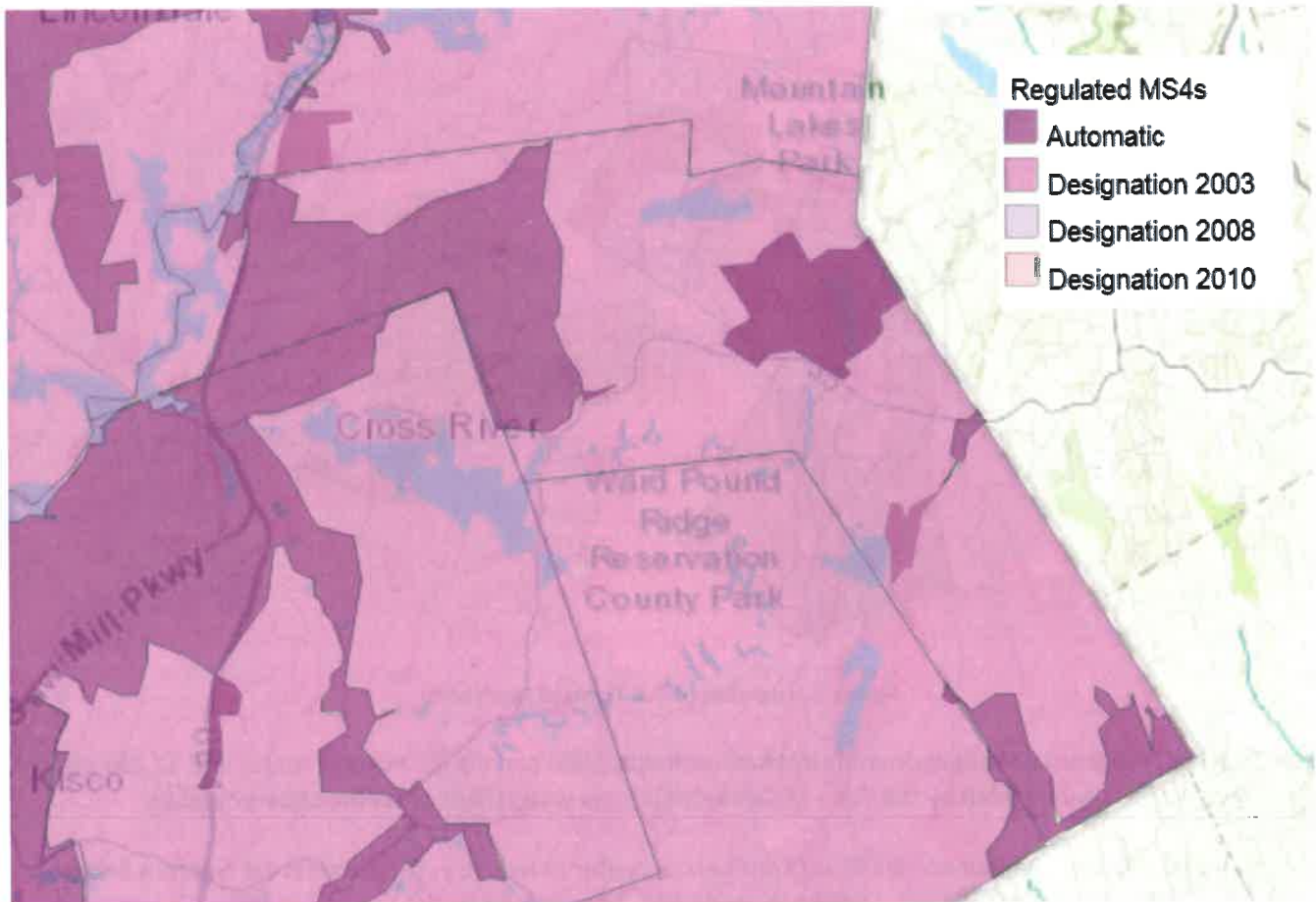


Figure 2 Lewisboro's Regulated MS4s

Portions of the Town of Lewisboro are within the NYC EOH watershed

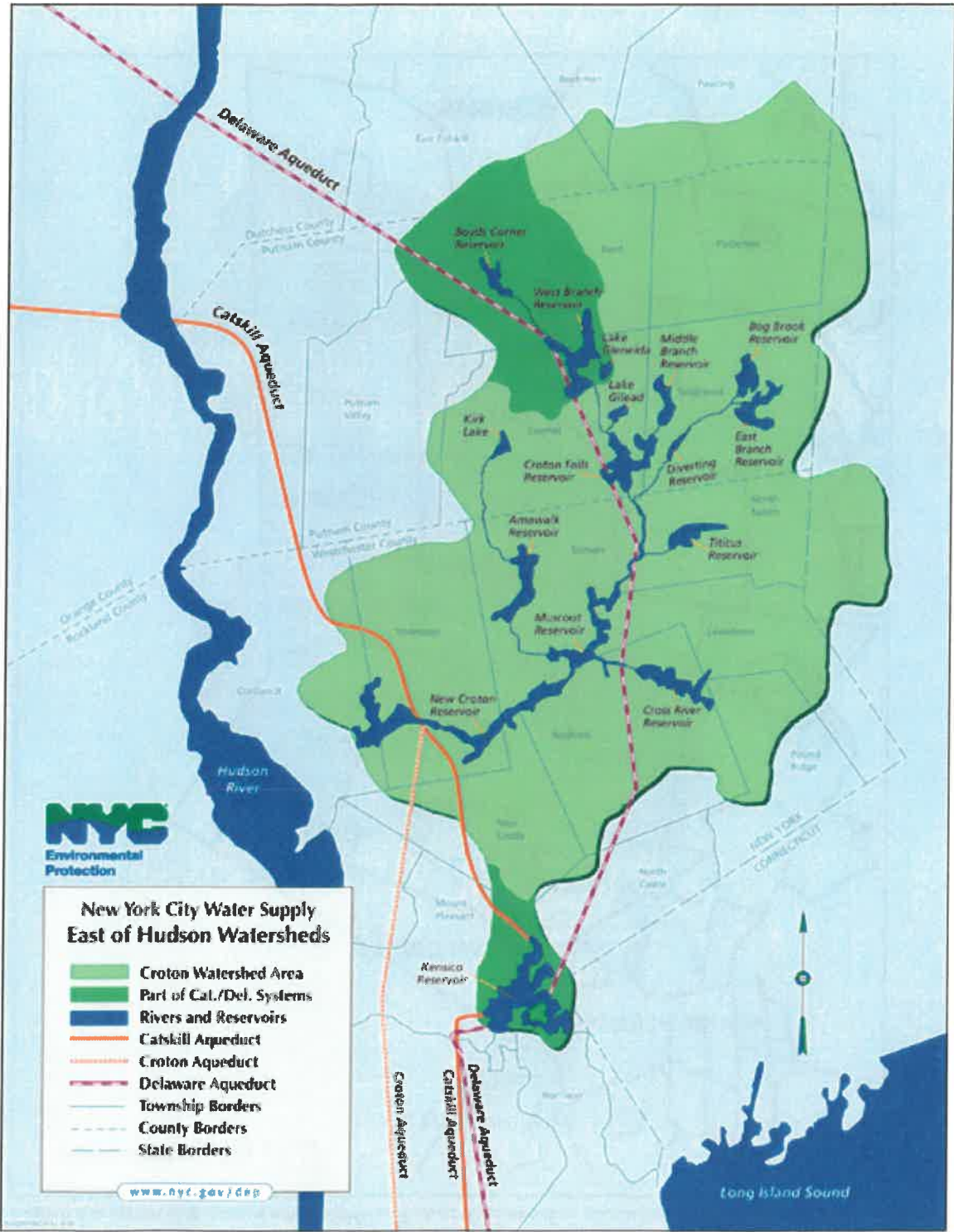


Figure 3 Portions of Lewisboro are within the NYC EOH watershed

The New York City EOH watershed map is also in the permit.

APPENDIX 3. NEW YORK CITY WATERSHED EAST OF THE HUDSON RIVER WATERSHED MAP

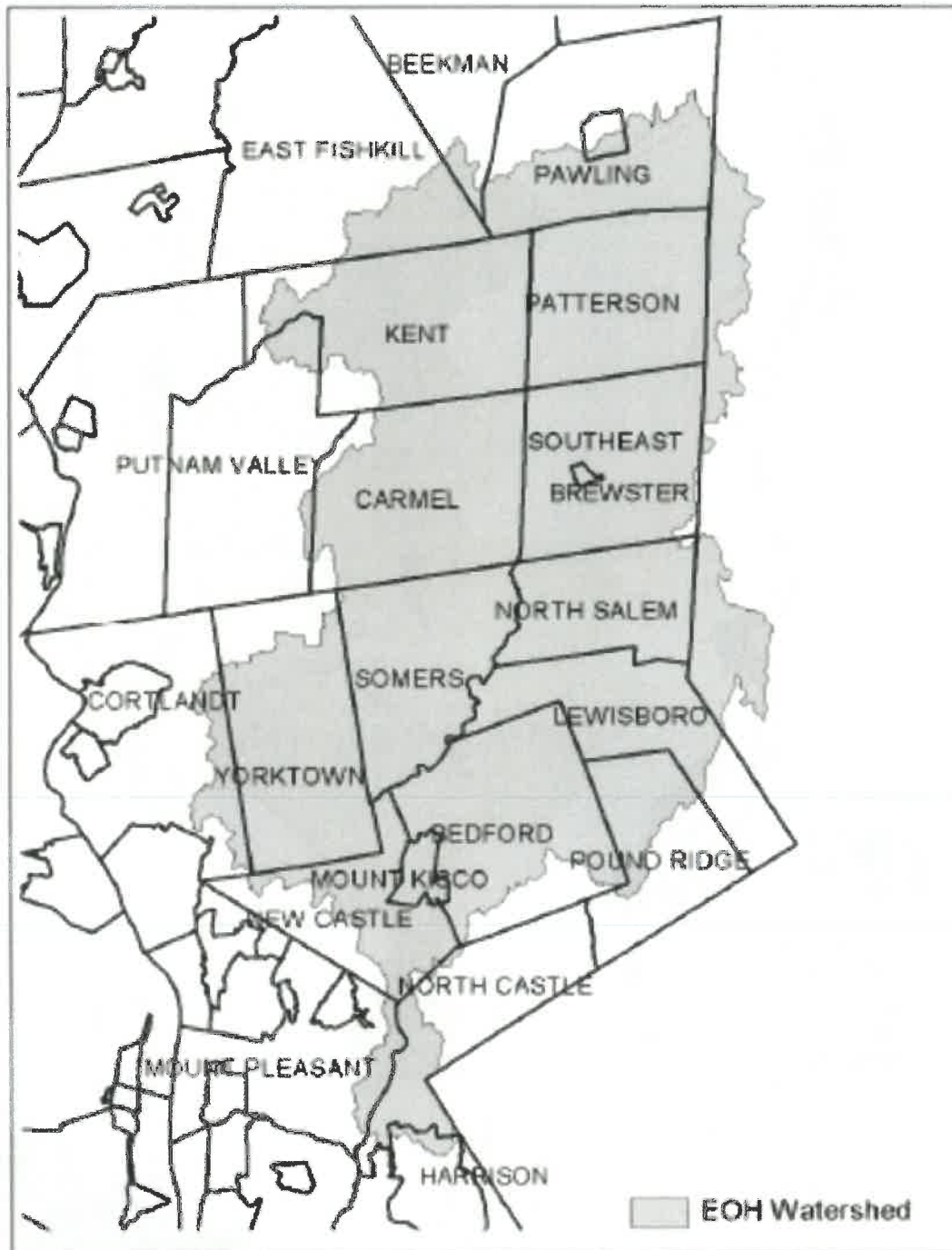
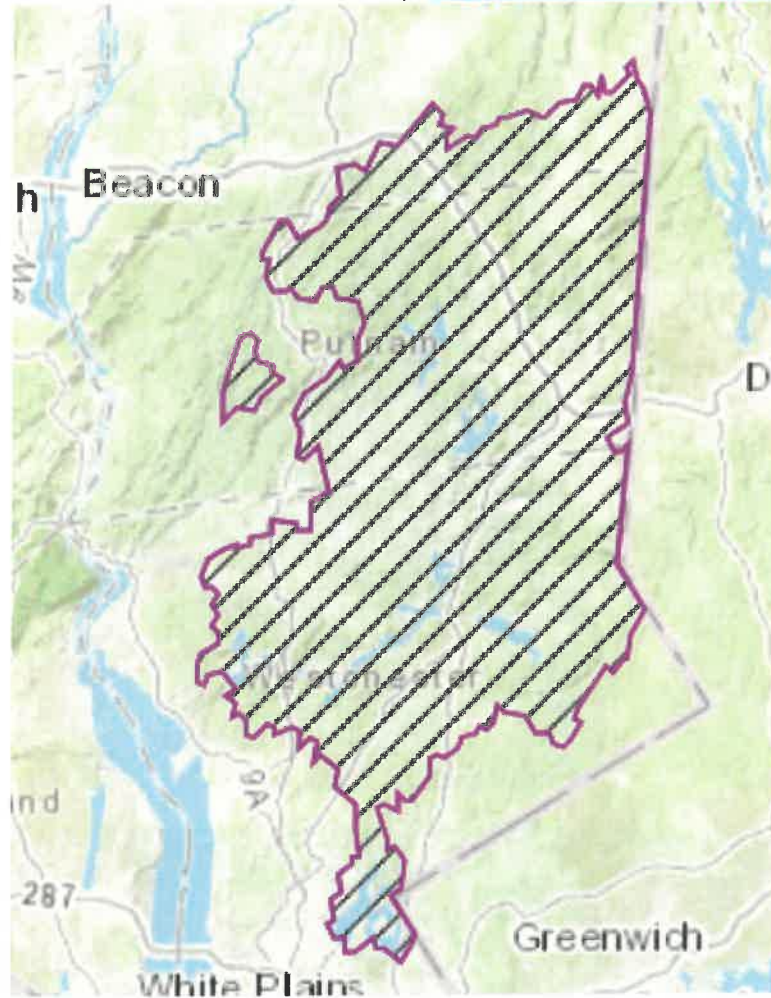


Figure 1. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

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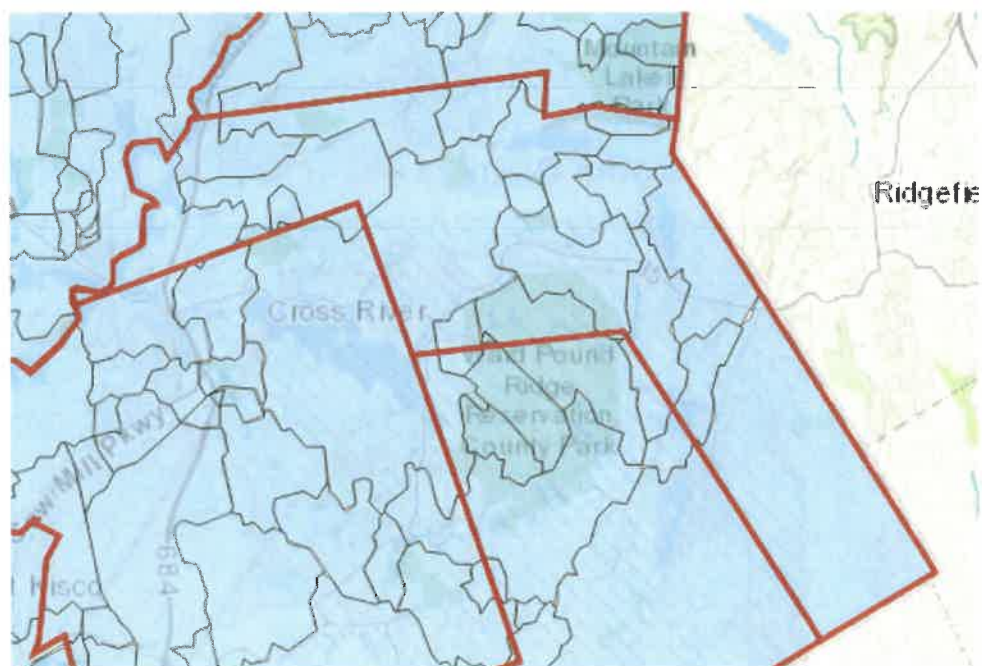
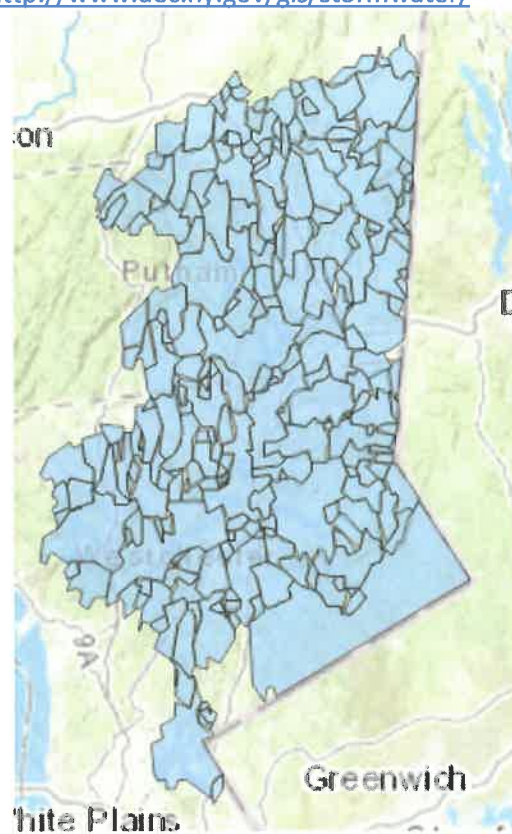
Portions of Lewisboro are in the Watershed Improvement Area

The East of Hudson portion of the Lewisboro watershed is in the Watershed Improvement Strategy area. From Stormwater Interactive Map: <http://www.dec.ny.gov/gis/stormwater/>



Lewisboro has Class AA AAS watersheds.

From Stormwater Interactive Map: <http://www.dec.ny.gov/gis/stormwater/>



Intermunicipal Cooperation

Lewisboro is one of twelve municipal members of the Croton Kensico Watershed Intermunicipal Coalition (CKWIC). <https://www.biohabitats.com/project/croton-kensico-watershed-intermunicipal-coalition-ckwic-regional-stormwater-improvement-plan/> This organization identified and assessed over 250 stormwater retrofit opportunities.

Lewisboro is also a member of the East of Hudson Watershed Corporation, <http://eohwc.org/> a local development corporation established by the municipalities in Northern Westchester, Putnam, and Dutchess Counties in the New York City Watershed to install stormwater retrofit projects to meet the requirements for phosphorus reduction defined by the New York State Department of Environmental Conservation (NYSDEC).

Impaired waters

Within or adjacent to its own boundaries, Lewisboro has impaired waterbodies. As of the 2016 list: https://www.dec.ny.gov/docs/water_pdf/303dListfinal2016.pdf, the following waterbodies are listed under **Part 1, Individual Waterbody Segments with Impairment Requiring TMDL Development**.

Index Number	Waterbody Name	Type	Class	Cause	Suspected source	Year
H- 31-P44-31- 3-P107a	Lake Katonah	Lake	B	Phosphorus	Urban runoff	2012
H- 31-P44-35-P109- 6-13-P115a	Truesdale Lake	Lake	B	Phosphorus	Urban runoff	2010

Other Impaired Waterbody Segments Not Listed (PDF) on the 303(d) List Because Development of a TMDL is Not Necessary https://www.dec.ny.gov/docs/water_pdf/303dlist.notlisted.2016.pdf The justification for not including an impaired waterbody on the Section 303(d) List:

- Category 4a Waters - TMDL development is not necessary because a TMDL has already been established for the segment/pollutant.
- Category 4b Waters - A TMDL is not necessary because other required control measures are expected to result in restoration in a reasonable period of time.
- Category 4c Waters - A TMDL is not appropriate because the impairment is the result of pollution, rather than a pollutant that can be allocated through a TMDL.

Index Number	Waterbody Name	Type	Class	Cause	Suspected source	Justification
H- 31-P44-35-P109	Cross River Reservoir	Lake(R)	AA(T)	Mercury	Atmospheric Dep.	4a/2007
H- 31-P44-35-P109	Cross River Reservoir	Lake(R)	AA(T)	Phosphorus	Urban Runoff	4a/2000
H- 31-P44-35-P109- 6-13-P115a	Truesdale Lake	Lake	B	Algal/Weed Growth	Hab/Hyd Mod	4c

Minimum Control Measures

The NYSDEC Stormwater General Permit requires the town to implement management practices to meet the permit's minimum measures. The permit requires certain management practices, while others are to be selected by the municipality based on water quality needs, pollutants of concern, and available resources.

1: Public Education and Outreach

This minimum control measure outlines a program to communicate common sources of stormwater pollution and the impacts of polluted stormwater to the public. Lewisboro will accomplish this through distributing educational materials to the community and conducting outreach activities.

Goals:

- Raise public awareness that polluted stormwater runoff is a significant source of water quality problems;
- Motivate residents to use Best Management Practices (BMPs) that reduce polluted stormwater runoff; and
- Reduce polluted stormwater runoff in town by increased awareness and use of BMPs.

Required actions:

- a. Identify *POCs*, waterbodies of concern, geographic areas of concern, target audiences;
- b. Implement an ongoing public education and outreach program designed to describe to the general public and target audiences:
 - i. the impacts of *stormwater discharges* on waterbodies;
 - ii. *POCs* and their sources;
 - iii. steps that contributors of these pollutants can take to reduce pollutants in *stormwater* runoff; and
 - iv. steps that contributors of non-*stormwater discharges* can take to reduce pollutants (non-*stormwater discharges* are listed in Part I.A.2);
- c. Record, periodically assess, and modify as needed, *measurable goals*; and
- d. Select and implement appropriate education and outreach *activities* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Additional East of Hudson Watershed Requirements

- a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of phosphorus (the *POC*) on waterbodies. The program must identify potential sources of phosphorus in *stormwater* runoff and describe steps that contributors can take to reduce the concentration of this *POC* in *stormwater* runoff. The program must also describe steps that contributors of non-*stormwater* discharges (Part I.A.2) can take to reduce phosphorus.
- b. Develop, or acquire if currently available, specific educational material dealing with sources of phosphorus in *stormwater* and pollutant reduction practices. At a minimum, the educational material should address the following topics:
 - i. understanding the phosphorus issue;
 - ii. septic systems as a source of phosphorus;
 - iii. phosphorus concerns with fertilizer use;
 - iv. phosphorus concerns with grass clippings and leaves entering streets and storm sewers;
 - v. construction sites as a source of phosphorus; and
 - vi. phosphorus concerns with detergent use.

Required SWMP Reporting

- a. report on the items below:
 - i. list education / outreach *activities* performed for the general public and target audiences and provide any results
 - ii. *covered entities* performing the education and outreach activities required by other MCMs (listed below), may report on those activities in MCM 1 and provide the following information applicable to their program:
 - a. - IDDE education *activities* planned or completed for public employees, businesses, and the general public, as required by Part VII.A.3;
 - b. - construction site *stormwater* control training planned or completed, as required by Part VII.A.4;
 - c. - employee pollution prevention / good housekeeping training planned or completed, as required by Part VII.A.6; and

To facilitate shared annual reporting, if the education and outreach activities above are implemented by a third party, and the third party is completing the associated portions of the annual report, that third party may report on the education and outreach activities within MCM 1 of the annual report and not within the MCMs that the education and outreach activities are required by,
 - iii. report on effectiveness of program, *BMP* and *measurable goal* assessment; and
 - iv. maintain records of all training activities.

Public outreach and education implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Include stormwater information in Park & Rec published bulletins	Stormwater Committee	Continue during permit period	Number of bulletins mailed and published with information each year
Include phosphorus information in Park & Rec published bulletins	Stormwater Committee	Continue during permit period	Number of bulletins mailed and published with information each year
Create stormwater page and post stormwater information on Town website	Town Clerk / Stormwater committee	Continue during permit period	Annual Reports posted Semi-Annual Reports posted
Provide stormwater information in public spaces – library, town offices	Stormwater committee	Continue during permit period	Information is visible to public
Stormwater PSAs and programs included on Lewisboro Public TV	Stormwater committee	Continue during permit period	Number of times the information is broadcast
Stormwater information at annual Library fair	Stormwater committee	Continue during permit period	Information is available to public
Partner with community groups to communicate stormwater and phosphorus issues	Stormwater committee	Continue during permit period	Stormwater and phosphorus information is included in talks and newsletters
Continue to publicize recent (2018) code change requiring	Stormwater committee, Town board	Continue during permit period	Number of notices

Plan Element	Lead department / individual	Implementation	Measurable goal
leashes on dogs, dog waste pick up and disposal			
Distribute stormwater information via Town email distribution list	Town clerk & stormwater committee	Continue during permit period	Number of email notices sent

2: Public Involvement and Participation

This minimum control measure identifies the process for public involvement and participation in the town's stormwater management efforts.

Goals:

- Involve the community in planning and implementing the town's stormwater management activities.
- Provide notice to the public for this plan, semi-annual reports, and annual reports.

At a minimum, all covered entities must:

- Comply with the State Open Meetings Law and local public notice requirements, such as Open Meetings Law, when implementing a public involvement / participation program;
- Develop (for newly authorized MS4s) and implement a public involvement/participation program that:
 - identifies key individuals and groups, public and private, who are interested in or affected by the SWMP ;
 - identifies types of input the *covered entity* will seek from the key individuals and groups, public and private, to support *development* and *implementation* of the SWMP program and how the input will be used; and
 - describes the public involvement / participation activities the *covered entity* will undertake to provide program access to those who want it and to gather the needed input. The activities included, but are not limited to a water quality hotline (report spills, dumping, construction sites of concern, etc.), stewardship activities like stream cleanups, storm drain marking, and volunteer water quality monitoring;
 - provide the opportunity for the public to participate in the *development, implementation, review, and revision* of the SWMP.
- Local stormwater public contact.**
Identify a local point of contact for public concerns regarding *stormwater* management and compliance with this *SPDES general permit*. The name or title of this contact and the telephone number must be published in public outreach and public participation materials and kept updated with the *Department* on the MCC form;
- Annual report presentation.**
Below are the requirements for the annual report presentation:
 - prior to submitting the final annual report to the *Department*, by June 1 of each reporting year (see Part V.C.), present the draft annual report in a format that is open to the public, where the public can ask questions about and make comments on the report. This can be done:
 - at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report. This may be a regular meeting of an existing board, such as planning, zoning or the town board. It may also be a separate meeting, specifically for

stormwater. If multiple *covered entities* are working together, they may have a group meeting (refer to Part V.C.2); or

- on the internet by;
 - making the annual report available to the public on a website;
 - providing the public the opportunity to provide comments on the internet or otherwise; and making available the opportunity for the public to request an open meeting to ask questions about and make comments on the report. If a public meeting is requested by 2 or more persons, the covered entity must hold such a meeting. However, the covered entity need only hold a public meeting once to satisfy this requirement.
- ii. provide public notice about the presentation, making public the following information when noticing the presentation in accordance with the local public notice requirements:
 - - the placement of the annual report on the agenda of this meeting or location on the internet;
 - - the opportunity for public comment. This *SPDES general permit* does not require a specified time frame for public comments, although it is recommended that *covered entities* do provide the public an opportunity to comment for a period after the meeting. Comments received after the final annual report is submitted shall be reported with the following year's annual report. *Covered entities* must take into account those comments in the following year;
 - - the date and time of the meeting or the date the annual report becomes available on the internet; and
 - - the availability of the draft report for prior review prior to the public meeting or duration of availability of annual report on the internet;
 - iii. the *Department* recommends that announcements be sent directly to individuals (public and private) known to have a specific interest in the *covered entity's SWMP*;
 - iv. include a summary of comments and (intended) responses with the final annual report. Changes made to the *SWMP* in response to comments should be described in the annual report; and
 - v. ensure that a copy of the final report and, beginning in 2009, the *SWMP* plan are available for public inspection;
- e. Record, periodically assess and modify as needed *measurable goals*; and
 - f. Select and implement appropriate public involvement / participation *activities* and *measurable goals* to ensure the reduction of *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

- g. Program *implementation* reporting for continuing *covered entities* (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
 - i. annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment;
 - ii. comments received and intended responses (as an attachment);
 - iii. public involvement / participation *activities* (for example stream cleanups including the number of people participating, the number of calls to a water quality hotline, the number and extent of storm drain stenciling); and
 - iv. report on effectiveness of program, *BMP* and *measurable goal* assessment.

Public involvement and participation implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Establish a stormwater committee and appoint members of the public	Town Board	Continue during permit period	Creation and staffing a stormwater committee
Notice the meetings of the stormwater committee	Town Clerk Stormwater Committee	Continue during permit period	Adequate public notice of meetings
Suggest updates to the stormwater page on Town website	Stormwater committee Town Clerk	Continue during permit period	Updates to the town stormwater page
Public participation in finding & creating Lewisboro public TV stormwater information	Stormwater committee	Continue during permit period	Information provided to LCTV
Review and document any public comments on required annual and interim reports	Stormwater committee	Continue during permit period	Compliance with requirements
Stormwater information at annual Library fair	Stormwater committee	Continue during permit period	Information is available to public
Involve community groups to communicate stormwater and phosphorus issues	Stormwater committee	Continue during permit period	Stormwater and phosphorus information is included in talks and newsletters
Encourage volunteer community participation in road and lake cleanups	Lions club	Continue during permit period	Annual cleanup takes place
Encourage lake community volunteer participation in lake monitoring programs	Stormwater committee	Continue during permit period	Number of lake monitoring sessions
Encourage lake communities to implement geese population control measures	Stormwater committee	Continue during permit period	Number of lakes participating
Annual report presentation or publication information	Town board Stormwater committee	Annually during permit periods	Annual report is available for public review and comment
Track public stormwater comments	Town board	Continue during permit period	Comments are reviewed and responses made

3: Illicit Discharge Detection and Elimination (IDDE)

This minimum control measure outlines a program to detect and eliminate current illicit discharges to the MS4 and prevent further illicit discharges in the future.

Goal:

Find the source of any illicit discharges; eliminate those illicit discharges; and ensure ongoing screening and tracking to prevent and eliminate future illicit discharges.

At a minimum, all *covered entities* must:

- a. *Implement* and enforce a program to detect and eliminate *illicit discharges* (as defined at 40CFR

- 122.26(b)(2)) into the *small MS4*;
- b. maintain a map, at a minimum within the *covered entity's* jurisdiction in the *urbanized area* and *additionally designated area*, showing:
 - i. the location of all *outfalls* and the names and location of all *surface waters of the State* that receive *discharges* from those *outfalls*;
 - ii. by March 9, 2010, the preliminary boundaries of the *covered entity's storm sewersheds* have been determined using GIS or other tools, even if they extend outside of the *urbanized area* (to facilitate track down), and *additionally designated area* within the *covered entity's* jurisdiction; and
 - iii. when grant funds are made available or for sewer lines surveyed during an illicit discharge track down, the *covered entity's* storm sewer system in accordance with available *State* and EPA guidance;
 - c. Field verify *outfall* locations;
 - d. Conduct an outfall reconnaissance inventory, as described in the EPA publication entitled *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment*, addressing every *outfall* within the *urbanized area* and *additionally designated area* within the *covered entity's* jurisdiction at least once every five years, with reasonable progress each year;
 - e. Map new *outfalls* as they are constructed or newly discovered within the *urbanized area* and *additionally designated area*;
 - f. Prohibit, through a law, ordinance, or other regulatory mechanism, *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions. This mechanism must be equivalent to the *State's* model IDDE local law NYSDEC Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems. The mechanism must be certified by the attorney representing the *small MS4* as being equivalent to the *State's* model illicit discharge local law. Laws adopted during the GP-02-02 permit cycle must also be attorney certified as effectively assuring implementation of the *State's* model IDDE law;
 - g. *Implement* a program to detect and address non-stormwater *discharges*, including illegal dumping, to the *small MS4* in accordance with current assistance and guidance documents from the State and EPA. The program must include: procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for the IDDE program; description of priority areas of concern, available equipment, staff, funding, etc.; procedures for identifying and locating *illicit discharges* (trackdown); procedures for eliminating *illicit discharges*; and procedures for documenting actions;
 - h. Inform public employees, businesses, and the general public of the hazards associated with illegal *discharges* and improper disposal of waste, and maintain records of notifications;
 - i. Address the categories of non-stormwater *discharges* or flows listed in Part I.A.2 as necessary;
 - j. Record, periodically assess, and modify as needed, *measurable goals*; and
 - k. Select and implement appropriate IDDE *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Additional NYC EOH Watershed Improvement Requirements

- a. Mapping - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.
 Develop and maintain a map showing the entire *small MS4* conveyance system. The *covered entity* shall complete the mapping of approximately 20% of the system every year, with the entire system being mapped by January 8, 2013.
 At a minimum, the map and/or supportive documentation for the conveyance system should include the following information:
 - i. type of conveyance system - closed pipe or open drainage;

- ii. for closed pipe systems - pipe material, shape, and size;
- iii. for open drainage systems - channel/ditch lining material, shape, and dimensions; location and dimensions of any culvert crossings;
- iv. drop inlet, catch basin, and manhole locations; and
- v. number and size of connections (inlets/outlets) to catch basins and manholes, direction of flow.

All information shall be prepared in digital format suitable for use in GIS software and in accordance with the *Department's* guidance on Illicit Discharge Detection and Elimination. The scale shall be 1:24,000 or better.

- b. On-site wastewater systems - applicable to *traditional land use control* and *traditional non-land use control MS4s*.
 - i. *Develop, implement* and enforce a program that ensures that on-site sanitary systems designed for less than 1000 gallons per day (septic systems, cesspools, including any installed absorption fields) are inspected at a minimum frequency of once every five years and, where necessary, maintained or rehabilitated. Regular field investigations/inspections should be done in accordance with the most current version of the EPA publication entitled Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment, to detect the presence of ongoing and/or intermittent on-site sanitary discharges to the storm sewer system. An advanced system inspection requiring completion by a certified professional is not required by this permit, but may be used where site specific conditions warrant. Program development shall include the establishment of the necessary legal authority to implement the program.

Required SWMP Reporting

- a. **Program implementation reporting for continuing covered entities** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
 - i. number and percent of *outfalls* mapped;
 - ii. number of *illicit discharges* detected and eliminated;
 - iii. percent of outfalls for which an outfall reconnaissance inventory has been performed. ;
 - iv. status of system mapping;
 - i. activities in and results from informing public employees, businesses, and the general public of hazards associated with illegal *discharges* and improper disposal of waste;
 - ii. regulatory mechanism status - certification that law is equivalent to the *State's* model IDDE law (if not already completed and submitted with an earlier annual report); and
 - iii. report on effectiveness of program, *BMP* and *measurable goal* assessment.

Illicit discharge detection and elimination implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Implement written IDDE program	Town Board Highway Dept	Continue during permit period	Procedure exists and is followed
Develop list and maps of all MS4 stormwater outfalls in priority areas	Town Board	Continue during permit period	GIS maps available and produced
Implement citizen reporting program	Stormwater committee	Continue during permit period	Public has information on how to report an illicit discharge

Plan Element	Lead department / individual	Implementation	Measurable goal
Develop record keeping system for IDDE tracking	SMO Highway Dept	Continue during permit period	Tracking of IDDE reports and resolution
Address IDDE in areas with pollutants of concern	SMO Highway Dept	Continue during permit period	IDs investigated and remedied
Detailed MS4 infrastructure mapping	Town board	Continue during permit period	Information is available to stakeholders
Complete list and maps of all MS4 stormwater outfalls throughout municipality	Highway Dept Town Board	Continue during permit period	Maps are updated as required
Publicize 2011 law requiring onsite septic pumping a minimum of every 5 years	Town Board Stormwater committee	Continue during permit period	Number of articles published
Track septic pumping using Westchester County data	Stormwater Committee Westchester County	Continue during permit period	Number of septic systems pumped

4: Construction Site Stormwater Runoff Control

This minimum control measure outlines procedures for minimizing polluted stormwater runoff from activities involving land disturbance of equal to or greater than 5,000 square feet including land disturbance that is part of a larger common plan of development or sale and totals 5,000 square feet or more. Certain exemptions apply.

Goal:

Minimize polluted stormwater runoff from construction sites and prevent it from carrying sediment into waterways via MS4 infrastructure.

At a minimum, all covered entities must:

- a. Develop (for newly authorized MS4s), implement, and enforce a program that:
 - i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (either GP-02-01, GP-0-08-001 or GP-0- 15-002), unless more stringent requirements are contained within this *SPDES general permit*;
 - ii. addresses *stormwater* runoff to the *small MS4 from construction activities* that result in a land disturbance of greater than or equal to one acre. Control of *stormwater discharges* from *construction activity* disturbing less than one acre must be included in the program if:
 - that *construction activity* is part of a *larger common plan of development or sale* that would disturb one acre or more; or
 - if controlling such activities in a particular watershed is required by the *Department*;
 - iii. includes a law, ordinance or other regulatory mechanism to require a *SWPPP* for each applicable land disturbing activity that includes erosion and sediment controls that meet the *State's* most current technical standards:
 - this mechanism must be equivalent to one of the versions of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control; and
 - equivalence must be documented -by adoption of one of the sample local laws without changes;
 - by using the NYSDEC Gap Analysis Workbook; or
 - by adoption of a modified version of the sample law, or an alternative law, and, in either

- scenario, certification by the attorney representing the small MS4 that the adopted law is equivalent to one of the sample local laws.
- iv. contains requirements for construction site operators to implement erosion and sediment control management practices;
 - v. allows for sanctions to ensure compliance to the extent allowable by State law;
 - vi. contains requirements for construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality, pursuant to the requirement of construction permit;
 - vii. describes procedures for *SWPPP* review with consideration of potential water quality impacts and review of individual *SWPPPs* to ensure consistency with *State* and local sediment and erosion control requirements;
 - - ensure that the individuals performing the reviews are adequately trained and understand the *State* and local sediment and erosion control requirements;
 - - all *SWPPPs* must be reviewed for sites where the disturbance is one acre or greater; and
 - - after review of *SWPPPs*, the *covered entity* must utilize the MS4 *SWPPP* Acceptance Form created by the *Department* and required by the SPDES General Permit for Stormwater Discharges from Construction Activity when notifying construction site owner / operators that their plans have been accepted by the *covered entity*;
 - viii. describes procedures for receipt and follow up on complaints or other information submitted by the public regarding construction site storm water runoff;
 - ix. describes procedures for site inspections and enforcement of erosion and sediment control measures including steps to identify priority sites for inspection and enforcement based on the nature of the construction activity, topography, and the characteristics of soils and receiving water;
 - the *covered entity* must ensure that the individual(s) performing the inspections are adequately trained and understand the *State* and local sediment and erosion control requirements. Adequately trained means receiving inspector training by a *Department* sponsored or approved training;
 - all sites must be inspected where the disturbance is one acre or greater;
 - *covered entities* must determine that it is acceptable for the owner or operator of a construction project to submit the Notice of Termination (NOT) to the *Department* by performing a final site inspection themselves or by accepting the Qualified Inspector's final inspection certification(s) required by the SPDES General Permit for Stormwater Discharges from Construction Activity. The principal executive officer, ranking elected official, or duly authorized representative (see Part VI.J.) shall document their determination by signing the "MS4 Acceptance" statement on the NOT.
 - x. educates construction site owner / operators, design engineers, *municipal* staff and other individuals to whom these regulations apply about the *municipality's* construction *stormwater* requirements, when construction *stormwater* requirements apply, to whom they apply, the procedures for submission of *SWPPPs*, construction site inspections, and other procedures associated with control of construction stormwater;
 - xi. ensures that construction site operators have received erosion and sediment control training before they do work within the *covered entity's* jurisdiction and maintain records of that training. Small home site construction (construction where the Erosion and Sediment Control Plan is developed in accordance with Appendix E of the New York Standards and Specifications for Erosion and Sediment Control) is exempt from the requirements below:
 - training may be provided by the *Department* or other qualified entities (such as Soil and Water Conservation Districts);
 - the *covered entity* is not expected to perform such training, but they may cosponsor training for

- construction site operators in their area;
- the *covered entity* may ask for a certificate of completion or other such proof of training; and - the *covered entity* may provide notice of upcoming sediment and erosion control training by posting in the building department or distribute with building permit application;
- xii. establishes and maintains an inventory of active construction sites, including the location of the site, owner / operator contact information; xiii. *develop (for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and xiv. select and appropriate construction *stormwater BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Additional Requirements from NYC EOH Watershed Improvement Strategy

- a. *Develop, implement* and enforce a program to reduce pollutants in *stormwater* runoff to the *small MS4* from construction activities that result in a land disturbance of greater than or equal to five thousand (5000) square feet. At a minimum, the program must provide equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity and must include the development and implementation of:
 - i. by December 31, 2009, an ordinance or other regulatory mechanism that requires erosion and sediment controls designed in accordance with the most current version of the technical standard New York State Standards and Specifications for Erosion and Sediment Control for all construction activities that disturb between five thousand (5000) square feet and one acre of land. For construction activities that disturb between five thousand (5000) square feet and one (1) acre of land, one of the standard erosion and sediment control plans included in Appendix E (Erosion & Sediment Control Plan For Small Homesite Construction) of the New York Standards and Specifications for Erosion and Sediment Control may be used as the Stormwater Pollution Prevention Plan (SWPPP);
 - ii. policy and procedures for the *covered entity* to perform, or cause to be performed, compliance inspections at all sites with a disturbance of one (1) or more acres. By December 31, 2009, the *covered entity* shall have started performing, or cause to be performed, compliance inspections at all sites with a disturbance between five thousand (5000) square feet and one (1) acre of land;

Required SWMP Reporting

- a. Program *implementation* reporting for continuing *covered entities* (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
 - i. number of *SWPPPs* reviewed;
 - ii. number and type of enforcement actions;
 - iii. percent of active construction sites inspected once;
 - iv. percent of active construction sites inspected more than once;
 - v. number of construction sites authorized for disturbances of one acre or more; and
 - vi. report on effectiveness of program, *BMP* and *measurable goal* assessment.

Construction site stormwater management implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Implement stormwater code in site plan reviews	Planning Board Building Inspector	Continue during permit period	Number of sites authorized for disturbance >5000 sq ft: # of stormwater permits and reviews
Review site plans for stormwater concerns	Planning Board Building Inspector	Continue during permit period	Implement appropriate site plan stormwater BMPs
Review SWPPP for site plans	Planning Board Building Inspector	Continue during permit period	Number of SWPPPs reviewed
Conduct site inspections	Town planning consultants Building inspector	Continue during permit period	Number of sites inspected once, more than once, enforcement actions

5: Post-Construction Stormwater Management

This minimum control measure outlines Lewisboro's program to address stormwater runoff from new or re-development projects that involve land disturbance above trigger levels.

Goal:

Mitigate the long-term impacts of new and re-development projects on water quality through proper use of low impact development and runoff reduction practices.

At a minimum, all covered entities must:

- a. Implement, and enforce a program that:
 - i. provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (either GP-02-01, GP-0-08-001, or GP-0-15-002), unless more stringent requirements are contained within this SPDES general permit;
 - ii. addresses stormwater runoff from new development and redevelopment projects to the small MS4 from projects that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from projects of less than one acre must be included in the program if:
 - that project is part of a larger common plan of development or sale; or
 - if controlling such activities in a particular watershed is required by the Department;
 - iii. includes a law, ordinance or other regulatory mechanism to require post construction runoff controls from new development and re-development projects to the extent allowable under State law that meet the State's most current technical standards:
 - the mechanism must be equivalent to one of the versions of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control; and
 - equivalence must be documented
 - by adoption of one of the sample local laws without changes;
 - by using the NYSDEC Gap Analysis Workbook; or
 - by adoption of a modified version of the sample law, or an alternative law, and, in either scenario and certification by the attorney representing the small MS4 that the adopted law is equivalent to one of the sample local laws;
 - iv. includes a combination of structural or non-structural management practices (according to

- standards defined in the most current version of the NYS Stormwater management Design Manual) that will reduce the discharge of pollutants to the MEP. In the development of the watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations, covered entities must consider principles of Low Impact Development (LID), Better Site Design (BSD), and other Green Infrastructure practices to the MEP. In the development of the watershed plans, municipal comprehensive plans, open space preservation programs, local law, ordinances and land use regulations, covered entities must consider smart growth principles, natural resource protection, impervious area reduction, maintaining natural hydrologic conditions in developments, riparian buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils.
- covered entities are required to review according to the Green Infrastructure practices defined in the Design Manual at a site level, and are encouraged to review, and revise where appropriate, local codes and laws that include provisions that preclude green infrastructure or construction techniques that minimize or reduce pollutant loadings.
 - if a *stormwater* management practice is designed and installed in accordance with the New York State Stormwater Management Design Manual or has been demonstrated to be equivalent and is properly operated and maintained, then *MEP* will be assumed to be met for post-construction *stormwater* discharged by the practice;
- v. describes procedures for *SWPPP* review with consideration of potential water quality impacts and review of individual *SWPPPs* to ensure consistency with state and local post-construction *stormwater* requirements; -
- ensure that the individuals performing the reviews are adequately trained and understand the *State* and local post construction *stormwater* requirements; -
 - ensure that the individuals performing the reviews for *SWPPPs* that include post-construction stormwater management practices are *qualified professionals* or under the supervision of a *qualified professional*; -
 - all *SWPPPs* must be reviewed for sites where the disturbance is one acre or greater; - after review of *SWPPPs*, the *covered entity* must utilize the MS4 *SWPPP* Acceptance Form created by the *Department* and required by the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) when notifying construction site owner / operators that their plans have been accepted by the *covered entity*; -
 - utilize available training from sources such as Soil and Water Conservation Districts, Planning Councils, The New York State Department of State, USEPA, and/or the *Department* to educate municipal boards and Planning and Zoning Boards on low impact development principles, better site design approach, and green infrastructure applications.
- vi. maintain an inventory of post-construction stormwater management practices within the *covered entities* jurisdiction. At a minimum, include practices discharging to the *small MS4* that have been installed since March 10, 2003, all practices owned by the *small MS4*, and those practices found to cause or contribute to water quality standard violations. -
- the inventory shall include at a minimum: location of practice (street address or coordinates); type of practice; maintenance needed per the NYS Stormwater Management Design Manual, *SWPPP*, or other provided documentation; and dates and type of maintenance performed; and
- vii. ensures adequate long-term operation and maintenance of management practices identified in Part VII.5.a.vi by trained staff, including inspection to ensure that practices are performing properly. -
- The inspection shall include inspection items identified in the maintenance requirements (NYS Stormwater Management Design Manual, *SWPPP*, or other maintenance information) for the practice. *Covered entities* are not required to collect *stormwater* samples and perform specific

- chemical analysis;
- viii. Covered entities may include in the SWMP Plan provisions for development of a banking and credit system. MS4s must have an existing watershed plan based on which offsite alternative stormwater management in lieu of or in addition to onsite stormwater management practices are evaluated. Redevelopment projects must be evaluated for pollutant reduction greater than required treatment by the state standards. The individual project must be reviewed and approved by the *Department*. Use of a banking and credit system for new development is only acceptable in the impaired watersheds to achieve the no net increase requirement and watershed improvement strategy areas to achieve pollutant reductions in accordance with watershed plan load reduction goals. A banking and credit system must at minimum include:
- Ensure that offset exceeds a standard reduction by factor of at least 2 -
 - Offset is implemented within the same watershed -
 - Proposed offset addresses the POC of the watershed -
 - Tracking system is established for the watershed -
 - Mitigation is applied for retrofit or redevelopment -
 - Offset project is completed prior to beginning of the proposed construction -
 - A legal mechanism is established to implement the banking and credit system
- b. *Develop (for newly authorized MS4s), implement, and provide adequate resources for a program to inspect development and re-development sites by trained staff and to enforce and penalize violators;*
- c. *Develop (for newly authorized MS4s), record, annually assess and modify as needed measurable goals; and*
- d. *Select and implement appropriate post-construction stormwater BMPs and measurable goals to ensure the reduction of all POCs in stormwater discharges to the MEP.*

Additional requirements from NYC EOH Watershed Improvement Strategy

- a. Construction stormwater program - applicable to *traditional land use control, traditional non-land use control and non-traditional MS4s*.
Develop, implement and enforce a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one (1) acre. This includes projects of less than one acre that are part of a larger common plan of development or sale. At a minimum, the program must provide equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity and must include the development and implementation of:
- i. a law or other mechanism that requires post-construction stormwater management controls designed in accordance with the most current version of the technical standards the New York State Stormwater Management Design Manual including the Enhanced Phosphorus Removal Design Standards. An MS4 must ensure that their ordinance or other mechanism requires post-construction stormwater management controls to be designed in accordance with the final version of the Enhanced Phosphorus Removal Design Standards by September 30, 2008.
- b. Retrofit program - applicable to *traditional land use control, traditional non-land use control and non-traditional MS4s*.
Develop and commence implementation of a Retrofit Program that addresses runoff from sites to correct or reduce existing erosion and/or pollutant loading problems, with a particular emphasis placed on the pollutant phosphorus. At a minimum, the MS4 shall:
- i. establish procedures to identify sites with erosion and/or pollutant loading problems;
- ii. establish policy and procedures for project selection. Project selection should be based on the phosphorus reduction potential of the specific retrofit being constructed/installed; the ability to use standard, proven technologies; and the economic feasibility of constructing/installing the retrofit. As

- part of the project selection process, the *covered entity* should participate in locally based watershed planning efforts which involve the *Department*, other *covered entities*, stakeholders and other interested parties;
- iii. establish policy and procedures for project permitting, design, funding, construction, and maintenance.
 - iv. for covered entities that develop their own retrofit program, by March 9, 2009 develop and submit approvable plans with schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those schedules, the plans and schedules shall become enforceable requirements of this permit.
 - v. pursuant to Part IV. B (Cooperation Between Covered entities Encouraged), retrofit projects can be completed in cooperation with other covered entities in the East of Hudson Watershed through the formation of a cooperative entity with other MS4s. Participating MS4s shall work with the Department and other members of the cooperative entity in implementing the requirements of i, ii and iii above. In addition, each covered entity that becomes a member of the cooperative entity shall work closely with the Department and other members of the cooperative entity to, by December 31, 2009, develop and submit approvable plans and schedules for completing retrofit projects, including identification of funding sources. Upon DEC approval of those plans and schedules, the plans and schedules shall become enforceable requirements of this permit.

Required SWMP Reporting

- a. **Program implementation reporting for continuing covered entities** (MS4s covered for 3 or more years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
 - i. number of SWPPPs reviewed;
 - ii. number and type of enforcement actions;
 - iii. number and type of post-construction stormwater management practices inventoried;
 - iv. number and type of post-construction stormwater management practices inspected;
 - v. number and type of post-construction stormwater management practices maintained;
 - vi. regulatory mechanism status - certification that regulatory mechanism is equivalent to one of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control (if not already done); and
 - vii. report on effectiveness of program, BMP and measurable goal assessment, and implementation of a banking and credit system, if applicable;

Post-construction stormwater management implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Implement SWPPP reviews in site plan reviews	Planning Board	Continue during permit period	Number of SWPPPs reviewed
Track number of enforcement actions	Planning Board Building Inspector	Continue during permit period	Number and type of enforcement actions
Inventory applicable post-construction management practices	Planning Board	Continue during permit period	Number and type of practices inventoried
Inspection of applicable post-construction management practices	Town planning consultants Building inspector	Continue during permit period	Number and type of practices inspected

Plan Element	Lead department / individual	Implementation	Measurable goal
Maintenance of applicable post-construction management practices	Town planning consultants Building inspector	Continue during permit period	Number and type of practices maintained
Retrofit projects in partnership with EOH Corp and CKWIC	Town Board	Continue during permit period	Number of retrofit projects

6 Pollution Prevention / Good Housekeeping

This minimum control measure outlines a program to mitigate the impact of town operations and maintenance on town owned and/or operated properties and the MS4 itself to water quality.

Goal:

Prevent or reduce pollutant runoff as a result of municipal operations.

At a minimum, all *covered entities* must:

- a. *Develop (for newly authorized MS4s) and implement* a pollution prevention / good housekeeping program for *municipal operations* and facilities that:
 - i. addresses *municipal operations* and facilities that contribute or potentially contribute *POCs* to the *small MS4 system*. The operations and facilities may include, but are not limited to: street and bridge maintenance; winter road maintenance; stormwater system maintenance; vehicle and fleet maintenance; park and open space maintenance; municipal building maintenance; solid waste management; new construction and land disturbances; right-of-way maintenance; marine operations; hydrologic habitat modification; or other;
 - ii. at a minimum frequency of once every three years, perform and document a self assessment of all municipal operations addressed by the SWMP to:
 - determine the sources of pollutants potentially generated by the *covered Entity's* operations and facilities; and
 - identify the *municipal operations* and facilities that will be addressed by the pollution prevention and good housekeeping program, if it is not done already;
 - iii. determines *management practices*, policies, procedures, etc. that will be *developed* and *implemented* to reduce or prevent the discharge of (potential) pollutants. Refer to management practices identified in the NYS Pollution Prevention and Good Housekeeping Assistance Document and other guidance materials available from the EPA, *State*, or other organizations;
 - iv. prioritizes pollution prevention and good housekeeping efforts based on geographic area, potential to improve water quality, facilities or operations most in need of modification or improvement, and *covered entity's* capabilities; SPDES General Permit for Stormwater Discharge from MS4s, GP-0-15-003
 - v. addresses pollution prevention and good housekeeping priorities;
 - vi. includes an employee pollution prevention and good housekeeping training program and ensures that staff receive and utilize training;
 - vii. requires third party entities performing contracted services, including but not limited to street sweeping, snow removal, lawn / grounds care, etc., to meet permit requirements as the requirements apply to the activity performed ; and

- viii. requires *municipal* operations and facilities that would otherwise be subject to the NYS Multi-sector General Permit (MSGP, GP-0-12-001) for industrial stormwater discharges to prepare and *implement* provisions in the SWMP that comply with Parts III. A, C, D, J, K and L of the MSGP. The covered entity must also perform monitoring and record keeping in accordance with Part IV. of the MSGP. Discharge monitoring reports must be attached to the MS4 annual report. Those operations or facilities are not required to gain coverage under the MSGP. *Implementation* of the above noted provisions of the SWMP will ensure that MEP is met for discharges from those facilities;
- b. Consider and incorporate cost effective runoff reduction techniques and green infrastructure in the routine upgrade of the existing stormwater conveyance systems and municipal properties to the MEP. Some examples include replacement of closed drainage with grass swales, replacement of existing islands in parking lots with rain gardens, or curb cuts to route the flow through below grade infiltration areas or other low cost improvements that provide runoff treatment or reduction.
- c. *Develop (for newly authorized MS4s)*, record, periodically assess and modify as needed measurable goals; and
- d. Select and implement appropriate pollution prevention and good housekeeping *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.
- e. Adopt techniques to reduce the use of fertilizers, pesticides, and herbicides, as well as potential impact to surface water.

Additional requirements from NYC EOH Watershed Improvement strategy

- a. By December 31, 2009, develop and implement a Stormwater Conveyance System inspection and maintenance program. At a minimum, the program shall include the following:
 - i. policy and procedures for the inspection and maintenance of catch basin and manhole sumps. Catch basin and manhole sumps should be inspected in the early spring and late fall for sediment and debris build-up. If sediment and debris fills greater than 50% of the sump volume, the sump should be cleaned. All sediment and debris removed from the catch basins and manholes shall be properly disposed of;
 - ii. policy and procedures for the inspection, maintenance and repair of conveyance system *outfalls*. Beginning June 30, 2008, the MS4 must inspect 20% of their *outfalls* each year and make repairs as necessary. All outfall protection and/or bank stability problems identified during the inspection shall be corrected in accordance with the New York Standards and Specifications for Erosion and Sediment Control;
 - iii. policy and procedures for the inspection, maintenance and repair of a *covered entity's* stormwater management practices. The inspection and maintenance schedule for all stormwater management practices shall assure continued operation of stormwater management practices; and
 - iv. develop a Corrective Action Plan for each Stormwater Conveyance System component that has been identified as needing repair. A file of all corrective actions implemented and *illicit discharges* detected and repaired should be maintained for a period of not less than five years.
- b. By December 31, 2010, develop and implement a turf management practices and procedures policy. The policy shall address the following:
 - i. procedures for proper fertilizer application on municipally-owned lands. The application of any phosphorus-containing fertilizer (as labeled) shall only be allowed following a proper soil test and analysis documenting that soil phosphorus concentrations are inadequate;

- ii. procedures for the proper disposal of grass clippings from municipally-owned lawns where grass clipping collection equipment is used. Grass clippings shall be disposed of in a compost pile or a proper containment device so that they cannot enter the *small MS4* or surface waters;
- iii. procedures for the proper disposal of leaves from municipally-owned lands where leaves are collected. Leaves shall be disposed of in a compost pile or a proper containment device so that they cannot enter *small MS4s* or surface waters;
- iv. for municipalities with lawn waste collection programs, the development of a curbside lawn waste management policy which ensures that lawn waste does not decay and release phosphorus to the storm sewer system; and
- v. the planting of wildflowers and other native plant material to lessen the frequency of mowing and the use of chemicals to control vegetation.

Required SWMP Reporting

Program implementation reporting for continuing covered entities (MS4s covered for 3 or more years on the reporting date). Covered entities are required to report on SPDES General Permit for Stormwater Discharge from MS4s, GP-0-15-003 all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally designated area*) that their program is addressing.

The *covered entity* shall report at a minimum on the items below:

- i. indicate the *municipal* operations and facilities that the pollution prevention and good housekeeping program assessed;
- ii. describe, if not done so already, the management practices, policies and procedures that have been developed, modified, and / or implemented and report, at a minimum, on the items below that the *covered entity's* pollution prevention and good housekeeping program addressed during the reporting year:
 - acres of parking lot swept;
 - miles of street swept;
 - number of catch basins inspected and, where necessary, cleaned;
 - post-construction control stormwater management practices inspected and, where necessary, cleaned;
 - pounds of phosphorus applied in chemical fertilizer
 - pounds of nitrogen applied in chemical fertilizer; and
 - acres of pesticides / herbicides applied.
- iii. staff training events and number of staff trained; and
- iv. report on effectiveness of program, *BMP* and *measurable goal* assessment. If the pollution prevention and good housekeeping program addresses other operations than what is listed above in Part VII.A.6.a(ii), the *covered entity* shall report on items that will demonstrate program effectiveness.

Pollution prevention/ good housekeeping implementation

Plan Element	Lead department / individual	Implementation	Measurable goal
Develop/implement employee training program	Stormwater Committee	Continue during permit period	Number sessions and employees trained
Implement MS4 property and operations maintenance	Highway, P&R, Maintenance	Continue during permit period	Sweeping, catch basin, BMP maintenance, fertilizer statistics

Plan Element	Lead department / individual	Implementation	Measurable goal
Annual municipal inspection of MS4	Stormwater committee	Continue during permit period	Compliance and corrective measures
Annual review of municipal SWPPP	Stormwater committee	Continue during permit period	Update as appropriate

ASSESSMENT, RECORD KEEPING, REPORTING AND CERTIFICATION REQUIREMENTS

- A. Assessment *Covered entities* are required to collect and report information about the *development* and *implementation* of their SWMPs. Specific information the *small MS4s* are required to collect is identified in Parts VII or VIII, depending on the type of *small MS4*. The *small MS4s* are encouraged to collect additional information that will help them evaluate their *SWMP*. Collection of information over time will facilitate the evaluation of the *covered entity's SWMP* by allowing the examination of trends in the information collected. The *covered entity* must conduct an annual evaluation of its program compliance, the appropriateness of its identified *BMPs*, meeting new permit requirements, and progress towards achieving its identified *measurable goals*, which must include reducing the *discharge* of pollutants to the *MEP*. Where the evaluation shows that the *SWMP* is not reducing discharges to the *MEP*, the *SWMP* shall be revised to reduce discharges to the *MEP*. Update to the *SWMP* and the *SWMP plan* must be completed within a year from the annual evaluation of their *SWMP* with an implementation schedule no later than 3 years from the annual evaluation.
- B. Recordkeeping The *covered entity* must keep records required by this *SPDES general permit* (records that document *SWMP*, records included in *SWMP plan*, other records that verify reporting required by the permit, NOI, past annual reports, and comments from the public and the *Department*, etc.) for at least five (5) years after they are generated. Records must be submitted to the *Department* within 5 business days of receipt of a *Department* request for such information. The *covered entity* shall keep duplicate records (either hard copy or electronic), to have one copy for public observation and a separate working copy where the *covered entity's* staff, other individuals responsible for the *SWMP* and regulators, such as *Department* and EPA staff can access them. Records, including the NOI and the *SWMP plan*, must be available to the public at reasonable times during regular business hours.
- C. Annual Reporting
 1. Annual Report Submittal The annual reporting period ends March 9 of each year. The annual report must be received in the *Department's* Central Office, electronic or hard copy, no later than June 1 of each reporting year. If electronic, submit in accordance with procedures set forth by the *Department*. If mailed, send to the address below:
 NYS DEC AMS4 Coordinator
 Bureau of Water Permits
 625 Broadway, 4th Floor
 Albany, NY 12233-3505

Failure to submit a complete annual report and a complete MCC form (Part V.D) shall constitute a permit violation.

Annual Report

a. Annual Report Submittal for Covered entities Authorized by GP-0-10-002 (Continuing Covered entities)

Beginning with annual reports due in 2010 *covered entities* implementing their *SWMP* shall submit, at a minimum, information specified by the *Department* in Part VII or VIII in a format provided by the *Department*.

Regardless of the method chosen, each *covered entity* must, by June 1 of the annual reporting year:

- a. Provide their individual MCC form (see Part V.D) to be submitted with the shared annual report. Each *covered entity* must sign and submit an MCC form to take responsibility for all of the information in the annual report, which includes specific endorsement or acceptance of the shared annual report on behalf of the individual *covered entity*;
- b. Present their draft annual report at a meeting (see Part VII.A.2.d or Part VIII.A.2.d for more information). For completed shared annual reports, the report may be presented by each participating individual *covered entity* at an existing *municipal* meeting or may be made available for comments on the internet. Additionally, *covered entities* participating in shared annual reporting may combine meetings to have a group or regional meeting. While the group meeting is allowable, each *covered entity* shall ensure that local public officials and members of the public are informed about the program, activities and progress made; and
- c. Submit a summary of any comments received and (intended) responses on the individual *covered entity's* information or the shared annual report information, as applicable. This information should be included with the annual report submission. Changes made to the *SWMP* in response to comments should be described in the annual report.

Annual Report Content

The annual report shall summarize the activities performed throughout the reporting period (March 10 to March 9) and must include at a minimum:

- a. The status of compliance with permit conditions, including Watershed Improvement Strategy conditions;
- b. An assessment/evaluation of:
 - i. the appropriateness of the identified *BMPs*;
 - ii. progress towards achieving the statutory goal of reducing the *discharge* of pollutants to the *MEP*; and
 - iii. the identified *measurable goals* for each of the *MCMs*.
- c. Results of information collected and analyzed, monitoring data, and an assessment of the *small MS4's* *SWMP* progress toward the statutory goal of reducing the *discharge* of *pollutants* to the *MEP* during the reporting period. This could include results from required *SWMP* reporting, estimates of pollutant loading (from parameters such as identified illicit discharges, physically interconnected *small MS4s* that may contribute substantially to pollutant loadings from the *small MS4*) and pollutant load reductions (such as illicit discharges removed). This assessment may be submitted as an attachment;
- d. When required to be completed, results of assessments of effectiveness in meeting no net increase requirements or TMDL loadings as required by III. B.1 and 2. These results must be submitted in evaluation forms and as an attachment;
- e. A summary of the stormwater activities planned to be undertaken during the next reporting cycle (including an implementation schedule);
- f. Any change in identified *BMPs* or *measurable goals* and justification for those changes;

- g. Notice that a *small MS4* is relying on another entity to satisfy some or all of its permit obligations (if applicable);
- h. A summary of the public comments received on this annual report at the public presentation required in Part VII.A.2. or VIII.A.2. And, as appropriate, how the *small MS4* will respond to comments and modify the program in response to the comments;
- i. A statement that the final report and, beginning in 2009, the SWMP plan are available for public review and the location where they are available; and
- j. The information specified under the reporting requirements for each MCM (Part VII or VIII).

Interim Progress Reporting

In accordance with 6 NYCRR Part 750-1.14, *covered entities* that own or operate MS4s within the watersheds listed in Part IX must submit to the Department interim progress reports no later than December 1 of each year. These interim progress reports will identify the activities that have been performed during the period of March 10 through September 9 of each year, which demonstrates that there is progress being made by the *covered entity* towards completion of the reduction requirements, prescribed in Part IX. Progress made during the period of September 10 through March 9 shall be reported with the annual report that is due no later than June 1 of each year.

Annual Report Certification

A signed original hard copy and a photocopy of the MCC form must be submitted to the *Department* no later than June 1 of each reporting year. If the annual report is mailed (Part V.C. above), the MCC form must be submitted with the annual report.

The MCC form, provided by the *Department*, certifies that all applicable conditions of Parts IV, VII, VIII and IX of this *SPDES general permit* are being *developed, implemented* and complied with. It must be signed by an individual as described in Part VI.J.2. The certification provided by the MCC form does not affect, replace or negate the certification required under Part VI.J.2 (d). If compliance with any requirement cannot be certified to on the MCC form, a complete explanation with a description of corrective measures must be included as requested on the MCC form.

Failure to submit a complete annual report (Part V.C.) and a complete MCC form shall constitute a permit violation.

