

## **Minimum Control Measure 4 – Construction Site Stormwater Runoff Control**

The Stormwater Team will provide assistance to municipalities for the development, implementation and enforcement of a Construction Site Stormwater Runoff Control Program.

### Activities:

#### Compliance with Permit:

The Stormwater Team will assist municipalities in developing a stormwater program that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activity (either GP-02-01 or GP-0-08-001), unless more stringent requirements are contained within GP-0-08-002.

#### Construction Activities:

The Stormwater Team will assist municipalities in developing a stormwater program that addresses stormwater runoff to the small MS4s for construction activities that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from construction activities disturbing less than one acre must be included in such program if the 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 NYS DEC. The Stormwater Team will assist municipalities through the offering of technical guidance, printed materials, and trainings.

#### Stormwater Law:

The Stormwater Team will assist municipalities in the development of a stormwater program that includes a law, ordinance or other regulatory mechanism, which requires a SWPPP for each applicable land disturbing activity that includes erosion and sediment controls that meet the State's most up-to-date standards. Such law shall contain requirements for construction site operators to implement erosion and sediment control management practices. Such law shall allow for sanctions to ensure compliance to the extent allowable by State or local law. The Stormwater Team will assist the municipalities in terms of informing them of needed updates to their local stormwater laws.

#### Structural and/or Non-structural Stormwater Management Practices:

The Stormwater Team will assist municipalities in the development of a stormwater program that includes a combination of structural management practices and/or non-structural management practices appropriate for the permittee that will reduce the discharge of pollutants to the maximum extent practicable. Permittees are encouraged to implement Green Infrastructure practices at a site level and to review and revise, where appropriate, local codes and laws that include provisions that preclude construction that minimizes or reduces pollutant loadings. The Stormwater Team will assist the municipalities in terms of informing them of updates to the State law and/or design manuals. The Stormwater Team will also provide technical assistance to the municipalities, as well as the developers, to review and suggest the most appropriate post-construction stormwater management facilities.

#### SWPPP Review:

The Stormwater Team will assist municipalities in the development of a stormwater program that contains a procedure for SWPPP review. Such a procedure will be designed so as to incorporate consideration of potential

water quality impacts and review of individual pre-construction SWPPPs to ensure consistency with State and local sediment and erosion control requirements. The Stormwater Team will provide technical review of any SWPPPs received by said Team.

#### Post-Construction Inventory:

The Stormwater Team will assist municipalities in the development of a stormwater program that, by May 1, 2009, establishes and maintains an inventory of post-construction stormwater management practices within the permittees jurisdiction. At a minimum, such inventory shall include post-construction stormwater practices discharging to the small MS4 that have been installed since March 10, 2003, all post-construction practices owned by the small MS4, and those practices found to cause or contribute to water quality standard violations. The Stormwater Team will initiate and maintain a post-construction practice inventory with the help of the municipalities in which such practices exist. The Stormwater Team will inspect 50% of the inventoried practices annually. The Stormwater Team will be asking the small MS4s to assist with post-construction inspections, data acquisition, as well as inspection data.

#### Long-term Operation and Maintenance:

The Stormwater Team will assist municipalities in the development of a stormwater program that ensures adequate long-term operation and maintenance of management practices (identified through the post-construction inventory) by staff, including inspections to ensure that practices are performing properly. The inspection shall include inspection items identified in the maintenance requirements for the practice. The Stormwater Team will work with the small MS4s and the owner of said practice (if different from the small MS4), to ensure that proper maintenance schedules and agreements are in place in accordance to the SWPPP and are being followed.

#### Adequate Resources:

The Stormwater Team will assist municipalities in the development of a stormwater program that develops, implements, and provides adequate resources for a program to inspect development and re-development sites by trained staff and to enforce and penalize violators. The Stormwater Team will provide printed material, technical guidance, and information on appropriate trainings to aid with the inspection process.

#### Measurable Goals:

The Stormwater Team will assist municipalities with the development, recording, assessment, and modification of measurable goals. The Stormwater Team will provide documents to aid in the record keeping process. The Stormwater Team will be performing a review of the records need for the development of the Coalition-wide Annual Report. The Annual Report calls for an evaluation of each minimum control measure.

#### Construction Site BMPs and Measurable Goals:

The Stormwater Team will assist with the selection of appropriate construction site stormwater management best management practices and measurable goals. Such BMPs and goals will assist in the reduction of pollutants of concerns in stormwater discharges to the maximum extent practicable.

## **Minimum Control Measure 5. Post-Construction Stormwater Management**

The Stormwater Team will provide assistance to municipalities for the development, implementation and enforcement of a Post-Construction Stormwater Management Program.

### Activities:

#### Compliance with Permit:

The Stormwater Team will assist municipalities in developing a stormwater program that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities (either GP-02-01 or GP-0-08-001), unless more stringent requirements are contained within GP-0-08-002.

#### Construction Activities:

The Stormwater Team will assist municipalities in developing a stormwater program that addresses stormwater runoff from new development and redevelopment projects to the small MS4s that result in a land disturbance of greater than or equal to one acre. Control of stormwater discharges from construction activities disturbing less than one acre must be included in such program if the 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 NYS DEC. The Stormwater Team will assist municipalities through the offering of technical guidance, printed materials, and trainings.

#### Stormwater Law:

The Stormwater Team will assist municipalities in the development of a stormwater program that 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 or local law that meet the State's most up-to-date technical standards. The Stormwater Team will assist the municipalities in terms of informing them of needed updates to their local stormwater laws. The Stormwater Team will provide technical assistance for municipalities in terms of if a project is required to install post-construction stormwater management practices.

#### Structural and/or Non-structural Stormwater Management Practices:

The Stormwater Team will assist municipalities in the development of a stormwater program that includes a combination of structural management practices and/or non-structural management practices appropriate for the permittee that will reduce the discharge of pollutants to the maximum extent practicable. Permittees are encouraged to implement Green Infrastructure practices at a site level and to review, and revise where appropriate local codes and laws that include provisions that preclude construction that minimizes or reduces pollutant loadings. The Stormwater Team will assist the municipalities in terms of informing them of updates to the State law and/or design manuals. The Stormwater Team will also provide technical assistance to the municipalities, as well as the developers, to review and suggest the most appropriate post-construction stormwater management facilities.

#### SWPPP Review:

The Stormwater Team will assist municipalities in the development of a stormwater program that contains a procedure for SWPPP review. Such a procedure will be designed so as to incorporate consideration of potential water quality impacts and review of individual pre-construction SWPPPs to ensure consistency with State and

local sediment and erosion control requirements. The Stormwater Team will provide technical review of any SWPPPs received by said Team.

#### Post-Construction Inventory:

The Stormwater Team will assist municipalities in the development of a stormwater program that, by May 1, 2009, establishes and maintains an inventory of post-construction stormwater management practices within the permittees jurisdiction. At a minimum, such inventory shall include post-construction stormwater practices discharging to the small MS4 that have been installed since March 10, 2003, all post-construction practices owned by the small MS4, and those practices found to cause or contribute to water quality standard violations. The Stormwater Team will initiate and maintain a post-construction practice inventory with the help of the municipalities in which such practices exist. The Stormwater Team will inspect 100% of the inventoried practices annually. The Stormwater Team will be asking the small MS4s to assist with post-construction inspections, data acquisition, as well as inspection data.

#### Long-term Operation and Maintenance:

The Stormwater Team will assist municipalities in the development of a stormwater program that ensures adequate long-term operation and maintenance of management practices (identified through the post-construction inventory) by staff, including inspections to ensure that practices are performing properly. The Stormwater Team will assist municipalities with annual inspections. Annual Inspections of inventoried practices is conducted using the inspection checklists in Appendix G of the New York State Stormwater Management Design Manual and shall include inspection of items identified in the maintenance requirements for the practice. Written inspection reports including deficiencies will be maintained by the municipality. The Stormwater Team will work with the small MS4s and the owner of said practice (if different from the small MS4), to ensure identified deficiencies are corrected and that proper maintenance schedules and agreements are in place in accordance to the SWPPP and are being followed.

#### Adequate Resources:

The Stormwater Team will assist municipalities in the development of a stormwater program that develops, implements, and provides adequate resources for a program to inspect development and re-development sites by trained staff and to enforce and penalize violators. The Stormwater Team will provide printed material, technical guidance, and information on appropriate trainings to aid with the inspection process.

#### Measureable Goals:

The Stormwater Team will assist municipalities with the development, recording, assessment, and modification of measurable goals. The Stormwater Team will provide documents to aid in the record keeping process. The Stormwater Team will be performing a review of the required records annually with the development of the Coalition-wide Annual Report. The Annual Report calls for an evaluation of each minimum control measure.

#### Post-Construction Practice BMPs and Measureable Goals:

The Stormwater Team will assist with the selection of appropriate post-construction stormwater management best management practices and measurable goals. Such BMPs and goals will assist in the reduction of pollutants of concerns in stormwater discharges to the maximum extent practicable.

## **Minimum Control Measure 6. Pollution Prevention / Good Housekeeping For Municipal Operations**

The Stormwater Team will provide assistance to municipalities for the development and implementation of a Pollution Prevention / Good Housekeeping Program for Municipal Operations. Such a program would be concentrated on the following activities/elements.

### Activities/Elements:

Pollutants of Concern (POC's) within municipal operations and facilities:

Address municipal operations and facilities that contribute or potentially contribute POC's 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. The Stormwater Team will provide assistance through the education of municipal employees of the pollutants of concern that are contributing or may be contributing from their municipal operations and facilities. The Stormwater Team will assist in the identification of such pollutants of concern.

Self-Assessment:

The Stormwater Team will assist municipalities to, at a minimum frequency of once every three years, perform a self assessment of all municipal operations addressed by the SWMPP. The goals of such a self assessment will be to determine the sources of pollutants potentially generated by the permittee's operations and facilities and to identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it is not done already. The Stormwater will assist by providing trainings to the municipalities regarding the particular operations described above. Such trainings will include discussion of the best management practices (BMP's) involved in such municipal operations, specifically revolving around pollution prevention and good housekeeping. The Stormwater Team will also provide staff to assist with the self assessment, upon request. If a municipality requests such service, the Stormwater Team will provide a follow-up summary of such assessment, to be added to their files.

Management Practices, Policies, and Procedures:

The Stormwater Team will assist municipalities in the development of a program that will determine the management practices, policies, procedures, etc. that will developed and implemented to reduce or prevent the discharge of pollutions and the potential discharge of pollutants. The Stormwater Team will refer municipalities to management practices identified in the "NYS Pollution Prevention and Good Housekeeping Assistance Document", as well as other guidance materials available from the EPA, State, and other organizations.

Prioritized Efforts:

The Stormwater Team will assist municipalities in the development of a pollution prevention and good housekeeping program that will prioritize 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 the permittee's capabilities. The Stormwater Team will provide trainings and material to help education the municipalities on ways to prioritize their efforts. The Stormwater Team will provide technical assistance through the use of their GIS system to help the municipalities review the geographic area and environmental features.

### Addresses Priorities:

The Stormwater Team will assist municipalities in the development of a pollution prevention and good housekeeping program that will address pollution prevention and good housekeeping priorities. The Stormwater Team will provide trainings and material designed around addressing the priorities of pollution prevention and good housekeeping. Such trainings and materials will help to address pollutants of concern, best management practices, and the identification of priority areas.

### Employee Training Program:

The Stormwater Team will assist municipalities in the development of a pollution prevention and good housekeeping program that will include an employee pollution prevention and good housekeeping training program. The Stormwater Team will provide opportunities for trainings to municipal employees on pollution prevention and good housekeeping. The Stormwater Team will review the self assessments for each municipalities as an aid in reviewing if the employees are utilizing the training.

### Third-Party Compliance:

The Stormwater Team will assist municipalities in the development of a pollution prevention and good housekeeping program that will require third party entities performing contracted services, including but not limited to street sweeping, snow removal, lawn / grounds care, etc. to meet the permit requirements as the requirements apply to the activity performed. The Stormwater Team will provide training, material, and best management practices to the municipalities focused around such contracted services.

### Measurable Goals:

The Stormwater Team will assist municipalities with the development, recording, assessment, and modification of measurable goals. The Stormwater Team will provide documents to aid in the record keeping process. The Stormwater Team will be performing a review of the required records annually with the development of the Coalition-wide Annual Report. The Annual Report calls for an evaluation of each minimum control measure.

### Pollution Prevention and Good Housekeeping BMPs and Measurable Goals:

The Stormwater Team will assist with the selection of appropriate pollution prevention and good housekeeping best management practices and measurable goals. Such BMPs and goals will assist in the reduction of pollutants of concerns in stormwater discharges to the maximum extent practicable..